

## SENATE.

MONDAY, April 13, 1908.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 24) to increase the efficiency of the personnel of the Revenue-Cutter Service, with amendments, in which it requested the concurrence of the Senate.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented memorials of the national banks of Fort Wayne, Ind.; of the clearing-house banks of Cincinnati, Ohio; of the Chamber of Commerce of Richmond, Va.; of the Clearing-House Association of Omaha, Nebr., and of the national banks of St. Louis, Mo., remonstrating against the enactment into law of the so-called "Aldrich currency bill" as passed by the Senate, which were ordered to lie on the table.

He also presented a memorial of the Robert Emmet Literary Society, of Wilmerding, Pa., and a memorial of Local Division, No. 17, Ancient Order of Hibernians, of Wilmerding, Pa., remonstrating against the ratification of the pending treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented petitions of the North Carolina Federation of Women's Clubs, of Wilmington, N. C.; of the New Hampshire Federation of Women's Clubs, of Plymouth, N. H., and of the Maine Federation of Women's Clubs, of Portland, Me., praying for the enactment of legislation providing for the investigation and the development of the methods of treatment of tuberculosis, which were referred to the Committee on Public Health and National Quarantine.

He also presented a petition of Encampment No. 51, Union Veteran Legion, of Fort Wayne, Ind., and a petition of sundry citizens of Fort Wayne, Ind., praying that an appropriation of \$200,000 be made for the erection of an armory on what is known as "Fort Wayne," for the use of the veterans of the civil war, the Spanish-American war, the State National Guard, or any troops of the United States, which were referred to the Committee on Military Affairs.

He also presented the petition of Edgar O. Jolley, of Crawfordsville, Ind., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, grounds, ships, etc., which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the National Association of Cement Users, praying that an appropriation of \$100,000 be made to continue the work of the structural materials and testing laboratories of the Geological Survey at St. Louis, Mo., which was referred to the Committee on the Geological Survey.

He also presented a petition of the city council of Chicago, Ill., praying for the enactment of legislation placing the telegraph systems of the country under the provisions of the law giving the Federal Government jurisdiction with respect to certain acts of the telegraph companies, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 1, Commercial Telegraphers' Union of America, of Chicago, Ill., praying for the enactment of legislation exempting labor from the provisions of the so-called "Sherman antitrust law," etc., which was referred to the Committee on the Judiciary.

He also presented a petition of the American Association of Masters, Mates, and Pilots, of Baltimore, Md., praying for the enactment of legislation authorizing the Secretary of War to cause a survey to be made of the harbor at Portsmouth, N. H., with a view to building a dam to slack the current and cause still water, which was referred to the Committee on Commerce.

Mr. PLATT presented a petition of the Oneonta Trade and Labor Council, of Oneonta, N. Y., praying for the enactment of legislation to provide relief in cases of coal-mine disasters, which was referred to the Committee on Mines and Mining.

He also presented a petition of the board of directors of the Auburn Business Men's Association, of Auburn, N. Y., praying for the ratification of international arbitration treaties, which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Lowville; of Kirkland Grange, No. 684, Patrons of Husbandry, of Redwood, and of West Eaton Grange, No. 713, Patrons of Husbandry, of West Eaton, all in the State of New York, praying for the pas-

sage of the so-called "rural parcels-post bill," which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Branch No. 31, United National Association of Post-Office Clerks, of Syracuse, N. Y., praying for the enactment of legislation to promote post-office clerks from the fifth to the sixth grade, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Knights of Labor of Albany, N. Y., remonstrating against the enactment of legislation to repeal the duty on white paper, wood pulp, and the material used in the manufacture thereof, which was referred to the Committee on Finance.

He also presented the petition of M. J. Stearns, of Massena, N. Y., and the petition of E. R. Hyatt, of New York City, N. Y., remonstrating against the enactment of legislation to abolish certain pension agencies throughout the country, which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of New York City, N. Y., and a petition of the International Brotherhood of Paper Makers, of Watertown, N. Y., praying for the enactment of legislation to restrict the immigration of Asiatics into the United States, which were referred to the Committee on Immigration.

He also presented memorials of the Longshoremen's Independent Political Union, of New York City; of Bricklayers' Union No. 37, of New York City; of Thomas J. O'Sullivan, of New York City; of Michael Mahoney, of Brooklyn; of the Robert Emmet Memorial Association, of Buffalo, and of sundry citizens of Schenectady, all in the State of New York, remonstrating against the ratification of the pending treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Employers' Association of Lockport, N. Y., and a memorial of the Employers' Association of Niagara Falls, N. Y., remonstrating against the adoption of certain amendments to the so-called "Sherman antitrust law," which were referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Rochester, N. Y., praying for the enactment of legislation providing for the appointment of a currency commission, which was referred to the Committee on Finance.

He also presented memorials of the Lake Seamen's Union of Buffalo, N. Y., remonstrating against the enactment of legislation to regulate the crews of vessels, which were referred to the Committee on Commerce.

Mr. NELSON presented a petition of the Minnesota Road-makers' Association, praying for the enactment of legislation to create a national highways commission, which was referred to the Committee on Agriculture and Forestry.

Mr. PERKINS presented a petition of the Pacific Coast Jobbers and Manufacturers' Association, of San Francisco, Cal., praying for the adoption of an amendment to the interstate commerce law making carriers liable for erroneous rate quotations, which was referred to the Committee on Interstate Commerce.

Mr. DEPEW presented a memorial of the Ancient Order of Hibernians of Erie County, N. Y., remonstrating against the ratification of a treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Robert Emmet Memorial Association of Buffalo, N. Y., remonstrating against the ratification of the pending treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Merchants' Association of New York, remonstrating against the enactment of legislation limiting injunctions or restraining orders in labor disputes, which was referred to the Committee on the Judiciary.

He also presented a petition of the Association for the Protection of the Adirondacks, of New York City, N. Y., praying for the enactment of legislation providing for the establishment of a national forest reserve in the Southern Appalachian and White Mountains, which was ordered to lie on the table.

He also presented a petition of Old Chatham Grange, Patrons of Husbandry, of Chatham, N. Y., and a petition of Salem Union Grange, No. 1100, Patrons of Husbandry, of Salem, N. Y., praying for the passage of the so-called "rural parcels-post bill," which were referred to the Committee on Post-Offices and Post-Roads.

Mr. CULLOM presented a petition of sundry citizens of the State of Illinois, praying for the enactment of legislation to regulate the employment of child labor, which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of the State of Illinois, remonstrating against the enactment of financial legislation during the present session of Congress, which was referred to the Committee on Finance.

He also presented memorials of Bricklayers' Union No. 37, of New York City, N. Y.; of the Emmet Club, of New Haven, Conn., and of Division No. 1, Ancient Order of Hibernians, of Naugatuck, Conn., remonstrating against the ratification of the pending treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. LONG presented a memorial of sundry citizens of Bashor, Belpre, Buffalo, Elk City, Niles, Udall, and Wakefield, all in the State of Kansas, remonstrating against the passage of the so-called "parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Canton, Delphos, Hoyt, Meriden, Paola, and Wichita, in the State of Kansas, praying for the passage of the so-called "parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of sundry citizens of Hemet, Cal.; Alamota, Nashville, Potwin, Topeka, and Wichita, all in the State of Kansas; Hamilton, Kansas City, and Pineville, all in the State of Missouri; Hartington and Lincoln, Nebr.; Portland, Svensen, The Dalles, and Toledo, all in the State of Oregon; Nashville, Tenn., and Fort Worth, Tex., remonstrating against the enactment of legislation to protect the first day of the week as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Turner, Me., praying for the enactment of legislation to prohibit the use of the mails for intoxicating liquor advertisement purposes, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of West Derby and Newport, in the State of Vermont, remonstrating against the oppression practiced by the Russian Government upon the citizens of that Empire, which was referred to the Committee on Foreign Relations.

Mr. BRANDEGEE presented a petition of Woodstock Grange, Patrons of Husbandry, of Woodstock, Conn., praying for the passage of the so-called "parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Central Labor Union of Danbury, Conn., praying for the enactment of legislation providing relief for those who may suffer from accidents in mines, which was referred to the Committee on Mines and Mining.

He also presented petitions of the Hartford and New York Transportation Company, of Hartford, Conn., and of sundry manufacturing companies of New England, praying for the enactment of legislation to establish a national forest reserve in the Southern Appalachian and White Mountains, which were ordered to lie on the table.

He also presented a memorial of Michael J. Sweeney and sundry other citizens of New Haven, Conn., and a memorial of the First Division, Ancient Order of Hibernians, of Bridgeport, Conn., remonstrating against the ratification of the pending arbitration treaty between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. BULKELEY presented a petition of Housatonic Valley Pomona Grange, No. 10, Patrons of Husbandry, of Bridgewater, Conn., praying for the passage of the so-called "parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of the John Mitchell Literary and Debating Society, of Wallingford; the Emmet Club, of New Britain; the Emmet Club, of Bridgeport; of sundry citizens of Stonington; the Emmet Club, of New Haven; of First Division, Ancient Order of Hibernians, of Bridgeport; of Division No. 2, Ancient Order of Hibernians, of Wallingford, and of Division No. 2, Ancient Order of Hibernians, of Derby, all in the State of Connecticut, remonstrating against the ratification of the pending treaty of arbitration between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. WETMORE presented a memorial of the Society of Friendly Sons of St. Patrick, of Providence, R. I., remonstrating against the ratification of the pending arbitration treaty between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance Union, of Cumberland; of the Rhode Island and Eastern Connecticut Christian Conference, of Providence; of the con-

gregations of the First Baptist Church, the First Methodist Episcopal Church, and St. Mark's Episcopal Church, of Warren, and of the Ocean View Woman's Christian Temperance Union, of Westerly, all in the State of Rhode Island, praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquor in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union, of Salem, Va., praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquor in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented memorials of sundry citizens of Massachusetts, Missouri, Minnesota, Indiana, Oregon, California, Nebraska, and Kentucky, remonstrating against the enactment of legislation to protect the first day of the week as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. GALLINGER. I desire to read a telegram dated Keene, N. H., April 9:

New Hampshire annual Methodist Conference in session urge immediate action on Benning race-track gambling bill.

R. E. QUIMBY, Secretary.

The bill will be reported this morning, and I hope it will be taken up speedily for action. I move that the telegram lie on the table.

The motion was agreed to.

Mr. STEPHENSON (for Mr. LA FOLLETTE) presented a joint resolution of the legislature of the State of Ohio, which was referred to the Committee on Military Affairs and ordered to be printed in the Record, as follows:

*Be it resolved by the general assembly of the State of Ohio, That we respectfully ask our Senators and Representatives in the Congress of the United States to enact the bill now before Congress, introduced by Hon. BEMAN G. DAWES, of Ohio, known as the "volunteer retired list," which gives the same pay as that given to the retired officers of the Regular Army, deducting therefrom any pension they may now receive, but in no case to exceed that of a captain of cavalry.*

The above resolution passed the house of representatives February 3, 1908.

E. W. DOTY, Clerk.

Passed the senate February 17, 1908.

A. P. SANDLES, Clerk.

Mr. STEPHENSON (for Mr. LA FOLLETTE) presented a petition of Local Union No. 90, Stereotypers and Electrotypers' International Union, of Wisconsin, praying for the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

He also (for Mr. LA FOLLETTE) presented petitions of sundry citizens of Montana, Iowa, New York, Kentucky, Illinois, Indiana, California, Missouri, Connecticut, and Maryland, praying for the enactment of legislation to prohibit the giving to or receipt by public officers of any free frank or privilege for the transmission of messages by telegraph or telephone and to prevent discriminations in interstate telegraph and telephone rates, which were referred to the Committee on Interstate Commerce.

He also (for Mr. LA FOLLETTE) presented a petition of the Merchants and Manufacturers' Association of Milwaukee, Wis., praying for the enactment of legislation to establish engineering experimental stations at land-grant colleges, which was referred to the Committee on Agriculture and Forestry.

He also (for Mr. LA FOLLETTE) presented a petition of sundry citizens of the State of Wisconsin, praying for the enactment of legislation providing for the construction of at least one of the proposed new battle ships at one of the Government navy-yards, which was referred to the Committee on Naval Affairs.

He also (for Mr. LA FOLLETTE) presented a memorial of sundry members of faculties in universities and colleges and educators of New York City, N. Y., remonstrating against an appropriation of \$60,000,000 being made for the construction of four new battle ships, which was referred to the Committee on Naval Affairs.

He also (for Mr. LA FOLLETTE) presented memorials of sundry organizations of Milwaukee, Monroe, Reedsburg, Sheboygan, Eau Claire, Medford, and Wichita Falls, all in the State of Wisconsin, and of Meriden, Conn., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also (for Mr. LA FOLLETTE) presented a petition of sundry volunteer officers of the civil war, of Wichita, Kans., praying for the enactment of legislation to create a volunteer retired list in the War and Navy Departments for the surviving officers of the civil war, which was referred to the Committee on Military Affairs.



He also (for Mr. LA FOLLETTE) presented petitions of Local Division No. 5, Woman's Relief Corps, of the congregation of the First Congregational Church, and of the Woman's Christian Temperance Union, all of Platteville, in the State of Wisconsin, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also (for Mr. LA FOLLETTE) presented a petition of sundry citizens of Superior, Wis., praying for the enactment of legislation directing the Department of Justice to compel the Oregon and California Railroad Company to comply with the terms of its land grant, which was referred to the Committee on Public Lands.

He also (for Mr. LA FOLLETTE) presented a memorial of sundry citizens of Sauk County, Wis., remonstrating against the enactment of legislation to prohibit Sunday banking in post-offices in the handling of money orders and registered letters, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Paul H. Beaulien Post, No. 247, Department of Wisconsin, Grand Army of the Republic, of Kaukauna, Wis., and a memorial of sundry members of the Grand Army of the Republic of Montello, Wis., remonstrating against the enactment of legislation proposing to abolish certain pension agencies throughout the country, which were referred to the Committee on Pensions.

He also (for Mr. LA FOLLETTE) presented sundry papers to accompany the bill (S. 3010) to correct the military record of Lieut. Sylvester W. Barnes, which were referred to the Committee on Military Affairs.

He also (for Mr. LA FOLLETTE) presented sundry papers to accompany the bill (S. 4522) to correct the military record of Harry Sharff, alias Herman Shofrensky, alias Herman Schofrensky, which were referred to the Committee on Military Affairs.

Mr. DOLLIVER presented petitions of the Federation of Women's Clubs of Laurens, Wyoming, Superior, Creston, Lake Park, Sioux City, Williams, and Harlan, all in the State of Iowa, praying for the enactment of legislation to regulate the employment of child labor, which were referred to the Committee on Education and Labor.

He also presented a petition of the National Association of Retail Druggists of the State of Iowa, praying for the adoption of certain amendments to the so-called "Sherman antitrust law," which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Blanchard, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry members of the faculty of Leander Clark College, Toledo, Iowa, praying for the enactment of legislation to establish a national forest reserve in the Southern Appalachian and White Mountains, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Blanchard, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, grounds, and ships, which was referred to the Committee on Public Buildings and Grounds.

#### REGULATION OF LIQUOR TRAFFIC.

Mr. CLARK of Wyoming. On behalf of the junior Senator from Pennsylvania [Mr. Knox] I report from the Committee on the Judiciary a substitute for the following bills:

A bill (S. 749) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases;

A bill (S. 2926) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases;

A bill (S. 3069) to limit the effects of the regulations of commerce between the several States and with foreign countries in certain cases;

A bill (S. 3634) to limit the effect of the regulation of commerce between the several States and Territories in certain cases;

A bill (S. 4087) to limit the effect of the regulation of commerce between the several States and Territories in certain cases;

A bill (S. 5151) to regulate interstate commerce in intoxicating liquors; and

A bill (S. 5745) to limit the effects of the regulations of commerce between the several States and with foreign countries in certain cases.

I ask that the bill be read twice by its title and that it go to the Calendar.

The bill (S. 6576) to regulate the interstate commerce shipments of intoxicating liquors was read twice by its title.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. CLARK of Wyoming. I present with the bill a report (No. 499) and the views of individual members of the committee. On account of the widespread interest in this matter, I ask that 1,000 extra copies of the report and bill be printed.

The VICE-PRESIDENT. The bill will be placed on the Calendar. The Senator from Wyoming asks that 1,000 additional copies of the bill and the report accompanying it be printed. Is there objection? The Chair hears none, and it is so ordered.

Mr. BACON. I simply wish to say, in connection with the report, that the report is the action of the Judiciary Committee, but represents the views of a majority and not of the entire committee.

I think it has already possibly been stated by the chairman, but I desire also to state that the report is accompanied by the separate views of several members of the committee who favor that particular report and who are in favor of a more enlarged measure. I will ask the chairman of the committee if I am correct in stating that those views have been handed in with the report?

Mr. CLARK of Wyoming. With the report, and a request was made for printing 1,000 extra copies of the whole matter.

Mr. BACON. Very well.

Now, Mr. President, I wish to state that while there is no minority report made, the committee was very nearly equally divided upon the subject, and those of us who compose the minority, at least a part of that minority, are in favor of a bill which is found upon pages 25 and 26 of the printed pamphlet. It is in a measure similar to the substitute which has been reported. The first section of the bill to which I refer has been eliminated from the substitute. The substitute is substantially the same as the bill which is found upon pages 25 and 26, beginning with the second section of the bill and running through to the seventh section. While there is a change in the phraseology it is substantially the same bill in that particular.

As these two propositions will come before the Senate, I ask that the same number of copies of the bill found on pages 25 and 26 may also be printed for the use of the Senate. It will be offered as a substitute when the bill is presented for action by the Senate.

The VICE-PRESIDENT. The Senator from Georgia asks that 1,000 additional copies of the bill appearing upon pages 25 and 26 of the pamphlet be also printed. Is there objection?

Mr. CLARK of Wyoming. I of course make no objection, except I call the Senator's attention to the fact that that bill will appear in each of the thousand additional copies I have asked for.

Mr. BACON. I beg the Senator's pardon; I possibly misunderstood the motion which he made. I thought he asked for the printing of a thousand additional copies of the substitute.

Mr. CLARK of Wyoming. Of the substitute and the paper accompanying it, which is undoubtedly the pamphlet the Senator holds in his hand.

Mr. BACON. But I understand the Senator to ask that a thousand additional copies of the substitute be printed separately and also that a thousand additional copies of the pamphlet be printed. Am I correct?

Mr. CLARK of Wyoming. Yes.

Mr. BACON. And the bill is to be printed separately?

Mr. CLARK of Wyoming. I have no objection, Mr. President.

Mr. BACON. I ask that there may be a reprint of the bill as set out on pages 25 and 26, and that it may be stated that it is the bill favored by the minority of the committee as a substitute for that which is proposed by the committee.

Mr. CLARK of Wyoming. Mr. President, I desire to make a little more clear the position of the majority of the committee on this matter.

The VICE-PRESIDENT. Without objection the request made by the Senator from Georgia is agreed to.

Mr. CLARK of Wyoming. The entire committee was substantially in agreement as to a certain portion of this whole question. The phase of the question on which the entire committee was agreed appears in part in the bill which has been mentioned by the Senator from Georgia as appearing on pages 25 and 26 of the pamphlet. There were certain portions, however, of that bill that the majority of the committee could not bring themselves to view with favor. So there was a divided

opinion on that particular question, which struck at the root of the whole business, to wit, the constitutionality of the proposed legislation.

The entire committee was favorable to that portion of the bill that is recommended by the majority, as I understand the situation. The minority of the committee were satisfied that the remainder of the bill would also be constitutional. I think that states the attitude of the committee.

Mr. BACON. Mr. President, in order that the original bill may be properly identified, I will ask that the reprint of it may be denominated as the substitute for Senate bill 5151.

Mr. CLARK of Wyoming. Mr. President, I object to that.

Mr. BACON. And the same will be offered as a substitute for the substitute proposed by the committee.

Mr. CLARK of Wyoming. I ask that the report be printed as made.

Mr. NELSON. Mr. President—

The VICE-PRESIDENT. The Chair will state the question. The Senator from Georgia asks for a reprint of the bill appearing on pages 25 and 26 of the pamphlet, and that it be designated as a substitute to be offered for the original bill reported by the Senator from Wyoming.

Mr. BACON. I ask that it be so printed.

Mr. CLARK of Wyoming. To that I object.

The VICE-PRESIDENT. Objection is made.

Mr. BACON. I should like to know what is the ground of the objection of the Senator from Wyoming?

Mr. CLARK of Wyoming. Because the committee has reported this measure as a substitute for all the bills which are mentioned in the report, and I ask that the report of the committee be received as made.

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. BACON. I do.

Mr. NELSON. I desire to say, with all due respect, that I think the chairman of the committee is in error about one thing, and that is, that the bill reported is not the unanimous report of the committee. It is the bill reported by the majority of the committee.

Mr. CLARK of Wyoming. Mr. President, I so distinctly mentioned in my statement.

Mr. BACON. I will not stickle with the Senator as to whether the original bill should be denominated as a substitute for Senate bill 5151. I simply wished to identify it.

In order that the matter may be thoroughly understood, I will state that Senate bill 5151 is one of the bills which was before the committee. There were four or five bills before the committee. Senate bill 5151 was the only bill which contained the part of the legislation to which the chairman of the committee states there was no material objection on the part of the committee. In other words, a part of that bill proposed legislation which commanded the approval of practically all of the committee. The committee framed a substitute which is substantially the same as that part of Senate bill 5151, eliminating from their substitute the first section of the bill, which related to the exercise of the police powers of the State, that being the particular part upon which the committee was divided, the majority of the committee holding that part to be unconstitutional.

Now, the committee reports as a substitute that part of the proposed legislation which is found in a part of that bill. The minority of the committee favor not only the part of the legislation which is represented by a portion of the bill, which is substantially the same as the substitute reported by the committee, but they favor the entire bill. The only purpose I have is to have that bill so printed that it may be properly identified, that we may know what it is, that it may have some heading. As there is no minority report, I presume, under the objection of the Senator from Wyoming, as the committee fail to report the bill back, it can only be printed without a heading, and I presume it will be offered as a substitute when the proper time arrives.

Mr. CLARK of Wyoming. The Senate has already ordered the printing of a thousand additional copies of the bill proposed by the minority.

Mr. BACON. It is to be printed, I presume, in the same shape as the thousand additional copies of the substitute reported by the committee.

Mr. CULBERSON subsequently said: Mr. President, as a member of the Committee on the Judiciary, I desire to file at this time and present with the report which has been made my individual views on what is known as the proposed liquor legislation. I ask that it be printed with the other reports in the case and with the bill.

The VICE-PRESIDENT. The Senator from Texas submits his views upon the bill known as the liquor bill, reported this

morning from the Committee on the Judiciary, and asks that they be printed in connection with the other reports upon the bill. Is there objection? The Chair hears none and it is so ordered.

#### REPORTS OF COMMITTEES.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to whom was referred the bill (S. 2487) to amend section 5278 of the Revised Statutes, reported it without amendment.

Mr. DILLINGHAM, from the Committee on the Judiciary, to whom was referred the bill (H. R. 14382) to establish a United States court at Jackson, in the eastern district of Kentucky, reported it without amendment.

Mr. CARTER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 4063) for the widening of Benning road, and for other purposes, reported it with amendments, and submitted a report (No. 500) thereon.

Mr. CURTIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 6525) authorizing the Secretary of the Interior to remove restrictions on Indian allotments in Oklahoma for school-site purposes, reported it with amendments, and submitted a report (No. 501) thereon.

He also, from the same committee, to whom was referred the bill (S. 4547) to authorize the Secretary of the Interior to segregate for town rights certain lands belonging to the Choctaw and Chickasaw tribes, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (S. 552) providing for the commutation of second homestead entries in certain cases, submitted an adverse report (No. 502) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. OVERMAN, from the Committee on the Judiciary, to whom was referred the bill (S. 3732) regulating injunctions and the practice of the district and circuit courts of the United States, reported it with an amendment.

Mr. BORAH, from the Committee on Irrigation and Reclamation of Arid Lands, to whom was referred the bill (S. 6018) providing for the disposition of town sites in connection with reclamation projects, and for other purposes, reported it with an amendment and submitted a report (No. 503) thereon.

Mr. BRANDEGEE, from the Committee on Forest Reservations and the Protection of Game, submitted a supplemental report (No. 459, part 2) to accompany the bill (S. 4825) for acquiring national forests in the Southern Appalachian Mountains and White Mountains, heretofore reported by him from that committee.

#### COLORADO BOUNDARY LINE.

Mr. FORAKER. From the Committee on the Judiciary, I report back favorably, without amendment, the joint resolution (S. R. 78) establishing the boundary line between the States of Colorado and Oklahoma and the Territory of New Mexico. I ask for the present consideration of the joint resolution.

The Secretary read the joint resolution.

Mr. CULBERSON. My attention has just been called to the joint resolution. I ask the Senator who reported it if it affects in any way the eastern boundary line of Oklahoma—the Texas line?

Mr. FORAKER. No; it does not. It simply establishes the boundary line as it was established and approved by the Interior Department—the line upon which monuments have been set. But the Senator from Colorado [Mr. TELLER], who introduced the joint resolution, can give more specific information in answer to the Senator's question than I can, and I request that he may answer.

Mr. TELLER. It does not interfere with any line. It simply determines where the thirty-seventh parallel is on the ground, and the monuments have been put up on what the astronomer says is the parallel. We only ask to have that recognized on the part of the Government. It will be necessary then, of course, that the State of Colorado should do the same thing, if that should become the line. There is nothing to affect Texas in any way. We will not try to take any part of Texas.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### SPOKANE INDIAN RESERVATION LANDS.

Mr. SUTHERLAND. From the Committee on Indian Affairs, I report back favorably, with amendments, the bill (S. 6163) to authorize the Secretary of the Interior to sell and dispose of the surplus unallotted agricultural lands of the Spokane Indian



Reservation, Wash., and to place the timber lands of said reservation in a national forest, and I submit a report (No. 498) thereon. I desire to call the attention of the senior Senator from Washington [Mr. ANKENY] to the report.

Mr. ANKENY. I ask for the immediate consideration of the bill, as it is rather important to the people in that section.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The first amendment of the committee was, after the word "purpose," in section 3, page 4, line 3, to strike out the remainder of the section, in the following words:

But any of the lands so granted and which may be classified as timber lands shall be subject to the same provisions and be administered in the same manner as the other unallotted timber lands on the reservation, as herein provided.

And in lieu thereof to insert:

And of the lands which may be classified as timber lands, no account shall be made of said sections 16 and 36 until further action for the disposal of said lands.

The amendment was agreed to.

The next amendment was to strike out sections 5, 6, and 7 of the bill and in lieu thereof to insert:

SEC. 5. That the lands so classified as timber lands shall remain Indian lands subject to the supervision of the Secretary of the Interior until further action by Congress, and no provision authorizing the sale of timber upon Indian lands shall apply to said lands unless they be specially designated: *Provided*, That until further legislation the Indians and the officials and employees in the Indian Service on said reservation shall, without cost to them, have the right, under such regulations as the Secretary of the Interior may prescribe, to go upon said timber lands and cut and take therefrom all timber necessary for fuel, or for lumber for the erection of buildings, fences, or other domestic purposes upon their allotments; and for said period the said Indians shall have the privilege of pasturing their cattle, horses, and sheep on said timber lands, subject to such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That the Secretary of the Interior is hereby authorized to sell and dispose of for the benefit of the Indians such timber upon said timber lands as, in his judgment, has reached maturity and is deteriorating and which, in his judgment, would be for the best interests of the Indians to sell, the purpose being to as far as possible protect, conserve, and promote the growth of timber upon said timber lands. The Secretary of the Interior shall deduct from the money received from the sale of such timber the actual expense of making such sale and place the balance to the credit of said Indians, and he is authorized to prescribe such rules and regulations for the sale and removal of such timber so sold as he may deem advisable.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. BURKETT introduced a bill (S. 6577) granting an increase of pension to Calvin W. Green, which was read twice by its title and referred to the Committee on Pensions.

Mr. BANKHEAD introduced a bill (S. 6578) for the relief of Mrs. Mary Trayler, which was read twice by its title and referred to the Committee on Claims.

Mr. GALLINGER introduced the following bills, which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on the District of Columbia:

A bill (S. 6579) to amend an act entitled "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances," approved March 23, 1906; and

A bill (S. 6580) to amend an act entitled "An act for the widening of Bladensburg road, and for other purposes," approved January 9, 1907.

Mr. CULLOM introduced a bill (S. 6581) to create in the War Department a roll to be known as the volunteer retired list, to authorize placing thereon with retired pay certain surviving officers of the United States Volunteer Army, Navy, and marines of the civil war, and for other purposes, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. du PONT introduced a bill (S. 6582) granting an increase of pension to George W. Bennum, which was read twice by its title and referred to the Committee on Pensions.

Mr. DICK introduced a bill (S. 6583) to provide campaign badges for officers, enlisted men, sailors, or marines who served honorably in the Spanish, Philippine, or China campaigns, and who were not in the United States service on January 11, 1905, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. CURTIS introduced a bill (S. 6584) to provide for the organization, regulation, and control of corporations, companies, and associations doing business in any Territory of the United

States or in the District of Columbia, and for other purposes, which was read twice by its title and referred to the Committee on the Judiciary.

Mr. PERKINS introduced a bill (S. 6585) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended by an act approved June 30, 1906, which was read twice by its title and referred to the Committee on Interstate Commerce.

Mr. RICHARDSON introduced a bill (S. 6586) to correct the military record of Charles J. Smith, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. NELSON (for Mr. KITTREDGE) introduced a bill (S. 6587) for the relief of Edwin S. Metcalf, which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

He also (for Mr. KITTREDGE) introduced a bill (S. 6588) granting an increase of pension to George W. Graham, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SUTHERLAND introduced a bill (S. 6589) providing for the purchase of additional land and the enlargement of the public building at Salt Lake City, Utah, which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

Mr. FRAZIER introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 6590) for the relief of the heirs of James D. White, deceased;

A bill (S. 6591) providing for payment to Putnam County, in the State of Tennessee, for the occupation and incidental destruction of its court-house during the late war between the States;

A bill (S. 6592) for the relief of N. C. Dunn;

A bill (S. 6593) for the relief of the heirs of Sarah A. White, deceased;

A bill (S. 6594) for the relief of the heirs of Kinch Exum, deceased;

A bill (S. 6595) for the relief of heirs of James Cummings, deceased;

A bill (S. 6596) for the relief of Charles G. Jones;

A bill (S. 6597) for the relief of the legal representatives of William A. Prewitt;

A bill (S. 6598) for the relief of the legal representatives of Z. Tate & Son; and

A bill (S. 6599) for the relief of J. W. Tate.

Mr. CULBERSON introduced a bill (S. 6600) authorizing the St. Louis, Brownsville and Mexico Railway Company to construct bridges across the Rio Grande at some point at or near the town of Brownsville, in Cameron County, Tex., which was read twice by its title and referred to the Committee on Commerce.

Mr. MONEY introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 6601) for the relief of heirs of Samuel W. Lancaster, deceased;

A bill (S. 6602) for the relief of heirs of W. M. Stevenson, deceased;

A bill (S. 6603) for the relief of heirs of Emmitt Hicks, deceased;

A bill (S. 6604) for the relief of heirs of Mrs. Julia L. Watson, deceased;

A bill (S. 6605) for the relief of heirs of John W. Ford, deceased;

A bill (S. 6606) for the relief of heirs of Mrs. Eunice Hurdle, deceased;

A bill (S. 6607) for the relief of estate of Mrs. Jerusha Harrison, deceased;

A bill (S. 6608) for the relief of heirs of W. H. Cooper, deceased;

A bill (S. 6609) for the relief of heirs of Samuel R. Garner, deceased;

A bill (S. 6610) for the relief of J. W. Causey;

A bill (S. 6611) for the relief of heirs of T. H. P. Morton, deceased;

A bill (S. 6612) for the relief of heirs of Ransom Vick, deceased;

A bill (S. 6613) for the relief of heirs of George A. Barbee, deceased; and

A bill (S. 6614) for the relief of heirs of John Nicholson, deceased.

Mr. MCCREARY introduced a bill (S. 6615) for the relief of George Clarke and Albert Howard, which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

Mr. BULKELEY introduced a bill (S. 6616) to authorize the extension, enlargement, and alteration of the public building in the city of New Haven, Conn., which was read twice by its title and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

Mr. DANIEL introduced a bill (S. 6617) granting a pension to Frank Babbitt Sheldon, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. STEPHENSON (for Mr. LA FOLLETTE) introduced a bill (S. 6618) granting a pension to Jane F. Taylor, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ELKINS introduced a bill (S. 6619) granting an increase of pension to Arabella M. Probasco, which was read twice by its title and referred to the Committee on Pensions.

Mr. LODGE introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 6620) granting a pension to Evelina Sprague; and  
A bill (S. 6621) granting a pension to Emma A. Henry.

Mr. HEMENWAY introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 6622) granting a pension to Emily D. Carnagua; and

A bill (S. 6623) granting an increase of pension to John C. Baker.

Mr. DOLLIVER introduced a bill (S. 6624) granting an increase of pension to James G. Flester, which was read twice by its title and referred to the Committee on Pensions.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. SCOTT submitted an amendment proposing to appropriate \$9,000 to grade and improve M street NE., Bladensburg road to Twenty-eighth street, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. DIXON submitted an amendment proposing to appropriate \$30,000 to enable the President to reserve and except from the unallotted lands now embraced within the Flathead Indian Reservation, in the State of Montana, not to exceed 12,800 acres, near the confluence of the Pend d'Oreille and Jocko rivers, for a permanent national bison range for the herd of bison to be presented by the American Bison Society, etc., intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

#### AMENDMENTS TO THE OMNIBUS CLAIMS BILL.

Mr. MONEY submitted two amendments intended to be proposed by him to House bill 15372, known as the "omnibus claims bill," which were ordered to lie on the table and be printed.

#### COMMODITY CLAUSE OF RATE LAW.

Mr. FORAKER. I submit an amendment intended to be proposed as a substitute for the joint resolution (S. R. 74) suspending the commodity clause of the present interstate commerce law, which I ask may lie on the table and be printed.

The VICE-PRESIDENT. Without objection, it is so ordered.

#### RESERVED RIGHTS OF STATES.

Mr. RAYNER. I submit a resolution. I ask that it be read and lie on the table.

The resolution was read and ordered to lie on the table, as follows:

*Resolved*, That in the opinion of the Senate the powers delegated by the Constitution to the United States must not be enlarged by implication or so construed as to conflict with or encroach upon the reserved rights of the States as guaranteed by the tenth amendment.

#### FUNERAL EXPENSES OF THE LATE SENATOR WHYTE.

Mr. RAYNER submitted the following resolution, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the contingent fund of the Senate the expenses incurred for Senators and officers of the Senate in attending the funeral of the late Senator William Pinkney Whyte, of Maryland, on March 19, 1908, including floral offering furnished.

#### MILITARY POSTS.

Mr. SCOTT. I submit a resolution for reference to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution was read, as follows:

*Resolved*, That the Committee on Military Affairs be, and it is hereby, authorized and directed, by subcommittee or otherwise, to visit, during the recess of the Senate, such military posts of the United States as in the committee's judgment should be examined, in order to ascertain

existing conditions at such posts, the necessities for legislation, and any other and further information bearing upon military posts as may seem important and of value in the consideration of future proposed military legislation. And the committee is further authorized to send for persons and papers, to subpoena witnesses and administer oaths, and to employ a stenographer to take notes or testimony and to do clerical duties, the expenses incurred to be paid out of the contingent fund of the Senate.

Mr. KEAN. I think the resolution should be referred first to the Committee on Military Affairs for that committee to report upon it.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Military Affairs, in the absence of objection.

#### REVENUE-CUTTER SERVICE.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 24) to increase the efficiency of the personnel of the Revenue-Cutter Service, which were: On page 1, line 6, to strike out "who shall serve;" on page 1, line 7, to strike out "unless" and insert "who may be;" on page 1, line 7, after "for," to strike out "a;" on page 1, line 7, to strike out "period" and insert "periods;" on page 1, line 8, after "years," to strike out "and" and insert "each;" on page 1, line 14, after "Treasury," to insert "or the President;" on page 2, line 4, to strike out "who shall serve;" on page 2, line 5, to strike out "unless" and insert "who may be;" on page 2, line 5, after "for," to strike out "a;" on page 2, line 6, to strike out "period" and insert "periods;" on page 2, line 6, after "years," to insert "each;" and on page 7, line 6, to strike out all after "Alaska" down to and including "oaths," line 7.

Mr. FRYE. I move that the Senate concur in the House amendments.

The motion was agreed to.

#### SITES FOR PUBLIC BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. SCOTT. Mr. President, in accordance with the notice I gave on Thursday last, I now ask that Senate bill No. 122 be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the bill referred to by the Senator from West Virginia, the title of which will be read by the Secretary.

The SECRETARY. A bill (S. 122) authorizing the purchase of grounds for the accommodation of public buildings for the use of the Government of the United States in the District of Columbia, and for other purposes.

Mr. SCOTT. Mr. President, the most important question, in my opinion, confronting Congress in its relation to the work of the Government itself in the District of Columbia, is that of buildings in which that work can be conducted. Instead of compact structures in which the business of the various Departments can be carried on, the work of the Government is being scattered all over the city and most unsatisfactory results follow. The amount of money spent by the Government for rental in the District of Columbia is increasing at an alarming ratio, and I think it is time that a halt should be called, department buildings erected, and the clerical affairs of the Government carried on with dispatch and economy.

It is a plain business proposition which I desire to bring to the attention of the Senate. No business man in the United States would hesitate one minute on a rent proposition of 2 per cent as opposed to 5, 10, or 20 per cent. Neither would he hesitate on the proposition for proper, commodious, and connected offices in which to carry on his business. Where is the proprietor of a large department store who does not demand that all his wares shall be housed under one roof? He does not care to have his silk counters at one place and his linen goods shown in a building a mile away. Such a proprietor is aiming always at economy and the best results on the money invested. Should the Government act differently? Are we not here as the representatives of our States and our people to see that the moneys of the Federal Government are carefully and economically expended and that the best results are obtained? Should we hold it to be economy and carefulness merely to refuse to make appropriations? Are we legislating for the best interests of our country when we go on record as opposed to an appropriation for buildings needed in the District of Columbia in which the work of the Federal Government is to be carried on? Do we really save our consciences with the ointment of being "watch dogs of the Treasury" and of always being on the alert to protect the interests of the people? I wonder if we do? For if we do, I fear we are resting in false security, and that some day our refusal to act fairly on plain, business propositions will rise up to haunt us. For I think an alarming situation confronts us.

During the fiscal year ending June 30, 1908, the Government will have spent for rent of buildings in the District of Columbia the sum of \$415,622.03, or, in round numbers, \$416,000. To show



how the annual rental has been constantly increasing, I desire to present to the Senate the amounts so used for the past ten fiscal years.

1897	\$176,144.00
1898	184,346.59
1899	178,885.92
1900	187,615.31
1901	196,205.00
1902	273,219.50
1903	316,249.84
1904	341,236.84
1905	349,266.17
1906	370,123.66
1907	415,622.03

These figures speak for themselves, and this table shows that each year there has been an increase, and unless several departmental buildings are erected it is not unreasonable to suppose that ten years from now over a million dollars will be spent annually in this city for rentals for Government purposes.

Mr. FORAKER. Mr. President, will the Senator allow me to ask him a question for information?

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Ohio?

Mr. SCOTT. Certainly.

Mr. FORAKER. Is it not true that during all this period, when the rentals have been increasing in the way the Senator suggests, we have, in fact, been providing new and additional buildings to accommodate the various Departments in the District of Columbia?

Mr. SCOTT. A very few of them, I will say to the Senator from Ohio. We are erecting near the Capitol a very elaborate building for the use of Senators that I think could very readily and very appropriately be adapted to the use of the Department of Commerce and Labor; but I am not taking that position in my argument this morning.

Mr. FORAKER. I know that constantly from time to time during the last ten years I have been voting for appropriations to erect public buildings in the District of Columbia. In addition to the building mentioned by the Senator, the Post-Office building has been provided, and I do not know how many others. We have been providing public buildings right along. I do not complain of it at all. I merely want to get the facts.

Mr. SCOTT. If the Senator will bear with me for a few moments, I think we will get to that.

The Government to-day has no difficulty in placing all the bonds it desires at an interest rate of 2 per cent. At such a rate the \$416,000 being spent this fiscal year represents an investment of over \$20,000,000. With \$20,000,000 departmental buildings enough can be erected to house every clerk in Government buildings, and these will be a credit and a saving to the United States. And would not such an investment be the part of economy? The Government would then only be paying a 2 per cent rental and would own in time buildings whose rents have paid for themselves. It would have held in its own Treasury money which otherwise would have enriched the individual. If our Government is to be administered on sound, economic principles, this is the only solution. If it is to be administered for the benefit of a few in the District of Columbia, the rental system should remain as it is, and no further efforts should be made to erect buildings in this District for the necessary work of the Departments. We should rely on private enterprise and reward it with from 5 to 20 per cent interest on its investment. Then we can give account of our stewardship to our States and our people and prove how we have economically handled the public money for the benefit of a few; how we have zealously guarded the revenues against the greed of a plain, economical, necessary business proposition.

For it is a necessary business proposition. I have only stated one of the aspects. There is another, and that is the right the Government has to require from its employees the highest grade of results. But in securing this there are reciprocal obligations. The Government must give the employee all the opportunities, all the implements, all the necessities with which to do his best. Is the Government living up to its part of the contract? All the testimony says "no." For it is a declared fact that in the present day sanitary and commodious quarters must be furnished clerks to secure from them the best work. They must be given room in which to turn around. At present halls and stairways are being utilized to give clerks space in which to do their work, and when they are thus cramped and crowded they are unable to give that which should rightly be demanded.

But is it possible that such a condition as this exists? Are halls in crowded buildings absolutely unfitted for the purposes thus used? Are heads of Departments asking, clamoring for relief? Have they been clamoring for years? Has Congress heeded their appeals? The records of each House will show. Shall I illustrate?

Take, for example, the Department of Justice. When the old building on the corner of Madison place and Pennsylvania avenue was torn down, that Department rented the Baltic Building, on K street, and also one building on Lafayette square. At the same time its library was placed in the Court of Claims building. Two years later, in 1901, to relieve the building on Lafayette square, the Department was forced to rent nine rooms in the Bond Building, and later the building on Vermont avenue, directly east of the Baltic Building. In the same year a building for the Spanish Treaty Claims Commission had to be secured. But even this was not enough, and two years later the Department was obliged to rent the building directly west of its main building on K street, and all these are now crowded to their utmost limit.

This situation is bad enough, but it is not the worst. Not only is the business of this Department scattered in these various buildings, but it is absolutely at the mercy of the owners. Listen to the testimony of Attorney-General Moody, now a justice of the Supreme Court, before a Senate committee two years ago. In answer to a question he said:

Let me give you a rather humiliating example of the position in which we are placed. I will not name the particular building. The landlord of one of the buildings which we rent, and which we must have, declined to make repairs which, in my judgment, under the terms of the tenancy, he was bound to make. I started to be very severe with him and insist upon our rights. In substance, he replied: "If you don't like it, you can get out," and I had to submit. I could not be turned out upon the streets, and therefore I was at his mercy. In the main, I think our landlords have treated us with fairness, but as the leases expire of course we are at their mercy upon the question of renewal.

Now, another illustration, before the same committee at the same time, given by Mr. O. J. Field, chief clerk of the Department of Justice. In relation to the building occupied by the Spanish Treaty Claims Commission he said:

We leased that building five years ago for \$200 a month for three years. At the expiration of three years they increased the rent \$50 a month for two years. That two years' lease expired the 1st of April. They demanded a further increase of \$50 a month on a six months' lease. We hardly wanted to lease a building for just six months, and in endeavoring to reach some compromise proposition for a longer tenancy they notified us that they declared all negotiations off a week or ten days before the lease expired, and we are hunting around for some place to move the Spanish Treaty Claims Commission to on a week's notice.

As a sequel to this testimony, I can state that the Department of Justice finally compromised with the owners of this building by signing another lease for three years at an increase of \$50 per month.

Has any Attorney-General presented this situation to Congress, and is this body still ignorant of these conditions? A business man, a man of affairs, would think the latter. The people might think the same. But for years every Attorney-General of the United States has been pleading for relief from these almost unbearable conditions. They have appeared before committees; they have, within their rights, officially acquainted Congress with this state of affairs. With what result? An effort to fairly meet the difficulties and remedy them in a plain businesslike way? No; but with the stern admonition—

We are carefully guarding the revenues. Crowd your clerks up a little closer, Mr. Attorney-General, and, if necessary, close up windows and utilize halls. We must economize.

Shall I illustrate again? Take, for example, the State Department. Thirty years ago it was given the entire south wing of the State, War, and Navy building, but encroachments have been made upon it for uses of the War and Navy Departments, and at present only 60 per cent of the room then provided is used by the Department. Has the business of that Department increased in the past thirty years? Yes; enormously. Thirty years ago, and for a long time after that, we were a debtor nation. American capital and American enterprise were engrossed in the development of our own country; there was comparatively little foreign travel, and the relations between the United States and other countries of the world was largely formal. Now we have come to a new era. American enterprise is pushing into every country; American construction is going on all over the world. American trade, American banking, and great American interests are being built up in almost every country on the earth, and a very large representation of our 80,000,000 of people is traveling all over the world. The enormous activity which has sprung up in all of these ways has developed enormous additional labors on the State Department, and yet it only has 60 per cent of the space originally provided thirty years ago. Secretaries of State have reported that their Department is reaching a point where it will be swamped for lack of proper organization. Records can not be handled in a proper manner because of inadequate space. The Secretary of State can not have a private interview with a Senator, a Member of Congress, a Cabinet officer, a foreign ambassador, minister, or consul, because he has no private room.

Before the Senate committee I referred to a few minutes ago Secretary of State Root testified as follows:

There are a great many Senators and Representatives who come to the State Department with constituents, and what they come for is to introduce the constituents. They do not want to waste any time about it. They do not want more than a minute. I have no place to see them, because I have just this one room. I may be having an important conversation with someone that will take twenty minutes or half an hour. In the War Department, as soon as I found there were a number of people in the anteroom I would stop the conversation, go out and dispose of the one-minute people, let the Senators and Representatives introduce their constituents and go their way. I would find a dozen people who would not want a minute. There might be two or three who wanted more time, and I would let them wait and take their turn, instead of keeping the whole crowd waiting. It is exceedingly inconvenient. It is injurious to the public business and it is very undignified; but I know of no way to cure it, because I can not find any room without turning a lot of clerks out of doors, whose services are absolutely necessary. My private secretary is now in a room away off in a corner, a long distance from me.

Secretary Root further complained that recently he had the gentlemen here who were to go to the Rio conference and that he had to give them the diplomatic anteroom and make special arrangements to have foreign diplomats remain in their embassies and not visit him until after these gentlemen were through with their work. At another time the Sanitary Congress, under a resolution passed by the Second Pan-American Conference at Mexico, came here, and the only thing that he could do was to secure rooms at the Willard Hotel, and the same procedure was followed in the case of commissioners from China. At another time the arbitrators of the Salvador Commercial Company's claim against the Government of Salvador met here. The arbitrators needed space for only a few weeks. What should be done with them? There was no space in the State Department, none of the desirable rooms in the nicer office buildings could be taken for less than six months, so the State Department was compelled to be content with securing rooms in the second-rate building, and even these were hard to find. As a final example, the Anglo-American Joint High Commission was forced to meet in the ordinary of the Arlington Hotel.

Mr. President, these are only a few of the many difficulties with which the State Department has to contend. It is the one official depository of the original acts of Congress, of the original proclamations of the Presidents, and of the original Executive orders—all of the greatest importance, not only to ourselves, but to our posterity. And these are all filed in vaults and cases which are not even fireproof. What recklessness!

Have not the Secretaries of State presented this situation to Congress? Is this body still ignorant of these conditions? Again I say, a business man and a man of affairs would think the latter; the people might think the same. But for years the Secretaries of State have been pleading for relief from these almost intolerable conditions. They have appeared before committees; they have, within their rights, officially acquainted Congress with this state of affairs. With what result? An effort to fairly meet the difficulties and remedy them in a plain businesslike way? No. And, as in the case with the Department of Justice, they are met with the stern admonition:

We are carefully guarding the reserves. What difference does it make if you have all the files since the foundation of the Government, since 1789, stowed away in nonfireproof cases? What difference does it make if you have many valuable and confidential papers relating to prosecutions and matters of all kinds? What difference does it make if you have diplomatic correspondence which could not be replaced? What difference does it make if the vaults and cases are not fireproof? Papers massed in a bunch will not burn; only the edges will be charred; fire dies out for lack of oxygen, you know. And it will not make much difference anyway; get new files; get new diplomatic documents; crowd up your clerks; close up your windows and utilize halls. We must economize.

Shall I illustrate again? Then take, for example, the Department of Commerce and Labor. It is scattered over a large portion of the business center of the city. Part of it is in the Willard Building, on Fourteenth street; another part of it in the Emory Building, at First and B streets, NW.; another part of it in the National Safe Deposit Building, New York avenue and Fifteenth street; another part of it in the Builders' Exchange Building, on Thirteenth street; another part in the Adams Building, on F street between Thirteenth and Fourteenth streets; another part in the Munsey Building, north side of E between Thirteenth and Fourteenth streets; still another part on E street between Ninth and Tenth, and the Department is asking for additional quarters. Think of it! This Department is distributed over a distance of a mile and a half long east and west, and about one-third of a mile north and south. This Department is a new one, and its needs are more patent than some of the others.

Have not Secretaries of Commerce and Labor presented this situation to Congress? And is this body still ignorant of these conditions? A business man, a man of affairs, would think the latter; the people might think the same. But since the establishment of this Department each Secretary has been pleading

for relief from these almost unbearable conditions. They have appeared before committees; they have, within their rights, officially acquainted Congress with this state of affairs. With what result? An effort to fairly meet the difficulties and remedy them in a plain, businesslike way? No. But with the stern admonition:

We are carefully guarding the revenues. In that section of the city, a mile and a half long east and west and one-third of a mile north and south, you must have many windows and hallways. Close up some of your windows and utilize your hallways; crowd your clerks up a little closer, Mr. Secretary of Commerce and Labor. We must economize.

Similar conditions, of course in a less degree of intensity, exist in other Departments which have been housed for years in homes of their own. The Senate Committee on Public Buildings and Grounds, during the last Congress and during this session, too, took up this situation and tried to find a remedy. It made a favorable report on the proposition for buying the squares of ground lying between Fourteenth and Fifteenth streets, Pennsylvania avenue, and D street NW., as a site on which departmental buildings could be erected. These buildings were to house the Departments of State, Justice, and Commerce and Labor. This site was selected, since there seem to be the strongest of reasons why two of these Departments should be within a short distance of the White House. I refer to the Department of State and the Department of Justice. The heads of these two Departments of the Government are more often called by the President to the White House than are any other members of his official family, and the length of their absence from the offices would thereby be reduced to a minimum. This site was also selected on account of its size. Owing to the fact that these buildings were to be near the White House it was obvious that the Treasury Department should not be dwarfed, and the general architectural plan called for structures of four or five stories only. In no other section near the White House could these requisites be met. In addition, the selection of this site was in the general line of the proposed parking system, having in view the most economical beautifying of the city—the carrying out of the plans of the founders.

At the time the committee had a rough estimate of the cost of such buildings made. A building which would supply all the present wants of the Department of Commerce and Labor, allow for a one-third increase in that Department, and still give room for the Interstate Commerce Commission, could be erected, in round numbers, for \$5,000,000. This building would be granite faced, of modern type, four stories and basement. A building sufficient to house the Department of State and the Department of Justice could be erected, in round numbers, for \$2,000,000, making a total of \$7,000,000, exclusive of site. It is only a question of time until the Government will have to own this property anyhow in order to carry out its parking schemes, and for the time being the cost of the site could be left out of consideration.

Let us see if from a financial standpoint this would be a businesslike proposition. What are the savings in rent? During the present fiscal year the State Department pays out in rent \$3,580; the Department of Commerce and Labor, \$60,049.80; the Department of Justice, \$28,200; the Interstate Commerce Commission, \$29,160, a total of \$110,489. With the State Department moved from its present quarters into a new building, the rent of the Mills Building and some other buildings used by the War and Navy Departments could be saved and run this total up to at least \$140,000—2 per cent of \$7,000,000. But in a late annual report of the Secretary of Commerce and Labor he says the assembling of the bureaus and offices of the Department under one roof would result in a saving in the cost of administration, on a very conservative estimate, of at least \$66,000 per year. I am informed that at least \$50,000 could be saved in a similar manner in the Department of Justice. These savings added to the amount paid for rent would bring the total of savings in these two buildings up to \$256,000, a 2 per cent rate of interest on \$12,800,000.

Is not that a fair, businesslike statement? Would it not be true economy to begin at once the erection of these buildings?

Another condition confronts us, and that is that the buildings now occupied by the various Departments are all crowded, and each Secretary is calling for more space. Some day this condition will have to be met and several other buildings erected in the District of Columbia. Those just mentioned would take care of three Departments and would relieve the War and Navy Departments of the crowded condition which exists in their buildings. The Government at present owns the corner lot across Pennsylvania avenue from the Treasury building. The purchase of the Arlington Insurance Company Building and the Belasco Theater would give the Government a fine site on which could be erected a handsome four-story auditors' office.



Such a building as this would relieve at once the Treasury Department of its congestion. Forty-three per cent of the floor space in the Treasury Department is occupied by auditors' offices. These auditors do not necessarily come in contact with the Secretary or his assistants every day, while in the purely Treasury work of the Department the heads of bureaus are constantly being called into consultation with the Secretary or his assistants. The location of such a building on Pennsylvania avenue would at once put the auditors in the different Departments together, give more room in the Treasury Department, and relieve the Post-Office Department of some of its congestion.

To still further relieve the congestion in the Post-Office Department a new postal workshop should be erected at the Union Station. Here all mails could be handled promptly, carriers could start their deliveries from this point and the objects of a fast mail service absolutely obtained. It is the veriest nonsense to run fast mail trains from New York to Washington and then have forty-five minutes wasted in carrying mail from the Union Station to the present post-office building. Other cities have seen the necessity of a post-office which is a workshop, and are already clamoring for such an improvement. With this addition the Post-Office Department would have the space it needs.

For years a new building for the Bureau of Printing and Engraving has been needed. In the last Congress the necessity was realized and the Secretary of the Treasury was authorized to prepare a plan. He has found the most deplorable overcrowding of men and women in every part of the building. He has found that it was necessary to work a part of the force beyond regular hours, and a considerable part of the men and women at night. Should Congress provide by new legislation for increased issues of notes, it would be necessary to resume this overtime work. The Secretary of the Treasury has made his recommendations and they are worthy of consideration, and I understand they are to be adopted. I shall offer no objections. I am only too glad to see the needs met. But I think the Bureau of Printing and Engraving should be a workshop—it is merely an establishment where money is manufactured. It should be located where it could have railroad facilities, and as much as possible of the work should be done on the ground floor. This could be accomplished by securing a cheap site near one of the railroads and erecting a modern manufacturing plant. All the heavy machinery could then be on the first floor, instead of running up into the air five or six stories, as it does in the present building. Such a structure would not need to be a granite Government building, but simply a substantial, handsome, brick, manufacturing establishment. With the Bureau of Printing and Engraving located along the railroad where it could have switching and other facilities, the Treasury Department could be relieved of a great expense in the hauling of paper to and fro, checking up, weighing, etc. All this could be done at the Bureau of Printing and Engraving, and one hauling would be sufficient. But, as I stated before, I understand the present building is to be enlarged, and when the matter comes before the Senate I shall offer no opposition further than to repeat these views.

I had thought that with the Bureau of Printing and Engraving housed in such an establishment as this, the present building could be used as a hall of records, since such a structure is badly needed. But a new building for such a hall can be erected for \$2,000,000, and no Senator can for a moment oppose its erection on a plea of no necessity.

One more building is needed, that for the Geological Survey. Its necessity has been shown before numerous committees on numerous occasions. I feel that I am within the limits of reason when I say that \$20,000,000, the amount on which the Government is now paying a 2 per cent rate of interest in rent, would more than erect and equip these buildings. It would even go far enough, in my opinion, to build a separate structure for the Census Bureau, though that is taken care of in the rough estimates of the Commerce and Labor building spoken of before, 136,000 square feet space being given to it. The erection of a building for the Census Bureau is a mere matter of opinion. Each ten years a large number of clerks will be employed for a couple of years and then the Bureau will drop to its normal size of a few hundred clerks. This is the one Bureau of the Government that contracts and expands. The space used at its greatest expansion could be temporarily occupied during the period of greatest contraction, and it is six of one and half a dozen of another whether it is in a department building or in a structure by itself.

To erect such buildings, it seems to me, is the plan which a business man would follow and which I think the Federal Government should adopt. In making an estimate of the savings to the Government, I have only given the figures for rent. But there are other savings on which I have only

touched—I mean savings in administration. As before stated, the Department of Commerce and Labor estimates this saving at \$66,000 per year, the Department of Justice at \$50,000, and I am informed the Bureau of Printing and Engraving can save at least \$20,000. In the other Departments a similar administrative saving could be accomplished by placing all bureaus and offices under one roof; but I have been unable to secure figures that would be of any value. It is fair, however, to estimate that the saving would be in the same proportion as in the two Departments and one Bureau from which I have received estimates. To be perfectly fair, I should state that the total rent figures which I have presented include the rent of certain buildings in the District used for school purposes—buildings which properly should not come within the scope of my remarks. The figures also include rent for stables and \$65,000 used by the Agricultural Department this year, but which may not be needed hereafter. These amounts, though, are easily covered by the saving in administration in the other Departments not mentioned. At this point I desire to present a list of all buildings in the District of Columbia rented by the Government and the amounts paid for each. This statement is prepared yearly, as required by the act of July 16, 1892. I will not read it, but ask that it may be appended to my remarks in tabular form. [See appendix.]

Having thus covered the situation, I desire to emphasize my original statement that all the Departments and bureaus of the Government now located in rented buildings can be housed in buildings owned by the Government at a rental rate of 2 per cent per annum until the said buildings are paid for. To do this, I desire to give estimates showing what such structures would cost. These estimates are in the rough, but approximate the actual cost. Money would be needed as follows:

Commerce and Labor.....	\$5,000,000
Justice and State.....	2,000,000
Hall of Records.....	2,000,000
Auditors' offices.....	1,500,000
Bureau of Printing and Engraving.....	2,150,000
Post-office workshop.....	800,000
Census building.....	350,000
Total.....	13,800,000

This cost is estimated exclusive of site. But, as I stated before, the sites of a number of these buildings will have to be purchased by the Government at some future date for parking purposes, so their cost should not really be counted on. But, allowing for the cost of sites, \$6,000,000 would more than buy all the land needed for each one of these buildings, and then we have a \$20,000,000 investment, on which amount the present rental would pay 2 per cent. The twenty millions easily covers any increase of cost of any of the buildings, for six millions will not be needed in the purchase of sites.

But this is not all. Two Departments and one bureau have given rough estimates of saving in administration—a total of \$136,000. Add this to the amount paid out in rent and we have a total expense during the fiscal year ending June 30, 1908, of \$652,000. This, Mr. President, is a 2 per cent interest rate on \$32,600,000. Should we hesitate?

But even this is not all. Washington is a beautiful city. In travels which have extended almost around the earth I have seen none more beautiful. Americans are proud of it, and they come here from all over our broad country. They travel up and down our streets and feel that they have a part in every public building or park they see. And the American likes a handsome public structure. He is proud of the Congressional Library, for example, and would be pleased with more buildings of a similar order. He likes to see beautiful parks—he is proud of them. I do not believe that a dollar of money which has ever been expended in buildings needed for the Government work, even in beautifying the city, has been criticised by the taxpayers of the United States. The visitors return to their homes and tell their friends and neighbors of the beauties of the Capital City, of the handsome buildings that our country has erected, of the commodious quarters in which some of our clerks are housed.

But if they happen in their sight-seeing cars to pass, for instance, the Department of Justice, what a beautiful prospect is presented! What a magnificent building is pointed out as the home of the Spanish Treaty Claims Commission! What magnificent quarters as part of the workshop of the Department of Commerce and Labor! Do you not think that these Americans go back home and tell their friends all about this? They draw comparison between these Departments and the other Departments, which are housed in beautiful and commodious buildings. And those comparisons are not to our credit.

As I stated before, I do not believe that the expenditure of a single dollar for the city of Washington in order to beautify the capital of the nation and erect its workshops has ever been criticised by an American taxpayer or an American voter. I do

not believe that if to-day the Congress of the United States were to pass a bill appropriating even \$32,000,000 for the purchase of sites and the erection of buildings to complete the plans I have detailed above there would be a dissenting voice raised in the United States. I do not believe there would be one criticism from any paper in the United States. On the other hand, I think it would be one of the most popular measures ever passed by Congress and one that would be met with the heartiest approval everywhere.

I have tried, Mr. President, to give this question to the Senate as a business proposition. I have shown how the Government's needs can be more economically met in the District of Columbia. I have shown the true economy of the situation. I

have shown the humiliating positions in which heads of Departments have been placed by landlords and by being forced to invite diplomatic representatives of other governments not to call. I have shown the almost intolerable conditions that exist in rented quarters and in buildings now owned by the Government—conditions that any Senator can examine into himself. I have shown how buildings are absolutely demanded and required. In face of all these facts, I now ask for simple justice to heads of Departments, clerks from whom the best service should be expected, and the people, whose money should be expended in the most economical manner. Shall this state of affairs continue? Shall we still hear the self-deluding, the self-satisfying cry of "We must economize?"

## APPENDIX.

Statement of buildings rented within the District of Columbia for the use of the Government, as required by the act of July 16, 1892 (27 Stat., p. 199).  
BUILDINGS RENTED BY THE STATE DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

Location of building.	For what purpose used.	Annual rental.
No. 1518 L street NW.....	Stables for State Department.....	\$720.00
No. 522 Seventeenth street NW.....	Offices of State Department.....	2,860.00
Total.....		3,580.00

## BUILDINGS RENTED BY THE TREASURY DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

No. 1709 New York avenue NW.....	Photograph gallery and storage of documents and records.....	\$2,500.00
No. 400 Nineteenth street NW.....	Treasury stables.....	1,200.00
Third and fourth floors and two sections on fifth floor, Nos. 920 and 922 E street NW.....	Storage of documents and records.....	8,000.00
Third floor and one room on fourth floor, Star Building, Eleventh street and Pennsylvania avenue NW.....	Offices Life-Saving Service.....	3,936.00
Sixth floor and north half of fifth floor, Union Building, G street between Sixth and Seventh streets NW.....	Offices Auditor for the Post-Office Department.....	10,250.00
Rooms 701 to 727, inclusive, seventh floor, and rooms 816, 817, 820, 821, 822, 823, 824, and 825, eighth floor, Munsey Building.....	Offices Auditor for the Navy Department.....	11,200.00
Total.....		\$7,146.00

## BUILDINGS RENTED BY THE WAR DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

No. 1729 New York avenue NW. (Lemon Building).....	War Department.....	\$7,200.00
No. 532 Seventeenth street NW.....	Depot Quartermaster and Branch of General Staff.....	2,500.00
No. 1744 G street NW.....	Signal Office, Board of Ordnance and Fortification, one Army Board, and two storerooms for Secretary's Office.....	2,500.00
No. 610 Seventeenth street NW.....	The Adjutant-General's Office.....	1,500.00
No. 1720 H street NW.....	Medical Dispensary.....	1,000.00
No. 1800 F street NW.....	Bureau of Insular Affairs.....	720.00
No. 1712 G street NW.....	The Adjutant-General's Office.....	800.00
Nos. 920 and 922 E street NW.; section A, fifth story, and a section of office on first floor.....	Bureau of Insular Affairs.....	1,500.00
Total.....		17,720.00

## BUILDING RENTED BY THE NAVY DEPARTMENT IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

Mills Building, corner of Pennsylvania avenue and Seventeenth street NW.....	Annex for the purposes of the various bureaus Hydrographic Office, Naval Dispensary, Navy Pay Office, Headquarters United States Marine Corps, General Board, Board of Inspection and Survey, and the Naval Examining and Retiring Board.....	\$24,500.00
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## BUILDINGS RENTED BY THE DEPARTMENT OF THE INTERIOR IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

Eighth and E streets NW.....	Civil Service Commission.....	No lease signed.
Corner of Eighth and G streets NW.....	Bureau of Education.....	\$4,000.00
Hooe Building, F street NW.....	Geological Survey.....	28,500.00
Buildings on alley, rear of Hooe Building.....	do.....	6,400.00
Union Building, south half basement floor.....	Storage of documents.....	No lease signed.
Union Building, G street NW.....	Patent Office model exhibit.....	No lease signed.
Washington Building Company's building, corner Twelfth and G streets NW.....	Reclamation Service.....	8,000.00
Ouray Building, Eighth and G streets NW., 11 rooms on 7th floor. (Until January 1, 1908.).....	General Land Office (reproduction of California records).....	3,240.00
Total.....		50,140.00

## BUILDINGS RENTED BY THE POST-OFFICE DEPARTMENT IN THE DISTRICT OF COLUMBIA FOR THE FISCAL YEAR 1908.

Union Building, G street between Sixth and Seventh streets NW.....	Station G, city post-office.....	<sup>a</sup> \$3,500.00
No. 1413 F street NW.....	Station C, city post-office.....	<sup>a</sup> 2,000.00
Fourth and East Capitol streets.....	Station B, city post-office.....	<sup>a</sup> 2,000.00
No. 718 Four-and-a-half street SW.....	Station D, city post-office.....	<sup>a</sup> 850.00
No. 1413 Park street.....	Station F, city post-office.....	<sup>a</sup> 1,380.00
No. 11 Harrison street (Anacostia).....	Station H, city post-office.....	<sup>a</sup> 300.00
Twenty-fourth street NE., between Channing and Douglas streets (Langdon).....	Station K, city post-office.....	<sup>a</sup> 200.00
Michigan avenue and Ninth street NE. (Brookland).....	Brookland station, city post-office.....	<sup>a</sup> 200.00
Carroll avenue and Blair road (Takoma Park).....	Takoma Park station, city post-office.....	<sup>a</sup> 300.00
Anacostia avenue and Benning road (Benning).....	Benning station, city post-office.....	<sup>a</sup> 200.00
First and K streets NE.....	Mail bag repair shop; mail lock repair shop; division of supplies; division of equipment; division of stamps; division of topography; division of redemption, and office superintendent third division, railway mail service.....	<sup>a</sup> 22,000.00
Nos. 918-920 E street NW.....	Storage of files.....	<sup>a</sup> 2,000.00
Alley between L and M, Sixteenth and Seventeenth streets NW.....	Stable.....	300.00
Alley adjoining First and K streets NE.....	do.....	200.00
1422 F street NW.....	Temporary quarters, special record of mail matter.....	<sup>a</sup> 3,600.00
Total.....		50,090.00

<sup>a</sup> Paid out of appropriation for postal service.  
<sup>b</sup> Including equipment and heat.

<sup>c</sup> Including heating and lights.  
<sup>d</sup> Including heat, lights, elevator, and janitor service.



Statement of buildings rented within the District of Columbia for the use of the Government, etc.—Continued.

BUILDINGS RENTED BY THE DEPARTMENT OF AGRICULTURE IN THE DISTRICT OF COLUMBIA DURING THE FISCAL YEAR ENDING JUNE 30, 1908.

Location of building.	For what purpose used.	Annual rental.
No. 1302 B street SW	Bureau of Animal Industry, laboratories and offices	\$1,800.00
No. 1358 B street SW	Bureau of Animal Industry, offices	750.00
Munsey Building	do	6,520.00
No. 902 Pennsylvania avenue NW	do	240.00
No. 1228 C street SW	Bureau of Animal Industry, stable	144.00
Nos. 1304-1306 B street SW	Bureau of Plant Industry, offices	8,000.00
No. 1308 B street SW	do	360.00
No. 201 Thirteenth street SW	do	360.00
No. 224 Twelfth street SW	do	3,000.00
No. 203 Thirteenth street SW	do	420.00
No. 205 Thirteenth street SW	do	420.00
No. 207 Thirteenth street SW	do	420.00
No. 207 1/2 Thirteenth street SW	do	420.00
No. 209 Thirteenth street SW	do	420.00
No. 237 Fourteenth street SW	do	120.00
No. 1310 B street SW	do	180.00
No. 1224 B street SW	do	450.00
No. 1226 B street SW	do	450.00
No. 1316 B street SW	do	1,500.00
No. 21 Linwood place SW	Bureau of Plant Industry (seed building)	3,000.00
Atlantic Building, 960 F street NW	Forest Service, offices	22,043.00
Ouray Building, Eighth and G streets NW	do	1,428.00
No. 1520 Pennsylvania avenue SE	Forest Service, wood-testing laboratories	600.00
Rear of 913 E street NW	Forest Service, storage purposes	270.00
Rear of 922 and 924 F street NW	do	270.00
No. 928 Baptist alley NW	do	120.00
Nos. 202-204 Fourteenth street SW	Bureau of Chemistry, laboratories and offices	2,500.00
No. 206 Fourteenth street SW	Bureau of Chemistry, storage rooms	300.00
No. 207 Linwood place SW	Bureau of Chemistry, office and storage rooms	300.00
No. 300 Fourteenth street SW (two apartments)	Bureau of Chemistry, offices	600.00
No. 300 Fourteenth street SW (one apartment)	do	300.00
Nos. 208-210 Fourteenth street SW	Bureau of Soils, laboratories and offices	2,600.00
Nos. 212-214 Thirteenth street SW	do	1,320.00
No. 904 B street SW	Bureau of Entomology, offices	720.00
No. 215 Thirteenth street SW	Division of Publications, document rooms	5,000.00
No. 916 Pennsylvania avenue NW	Division of Publications, storage rooms	60.00
No. 237 Fourteenth street SW	Office of Public Roads, offices	1,880.00
Lot 27, square 231, SW	Office of Public Roads, stable	120.00
No. 1120 Virginia avenue SW	Office of Experiment Stations, offices	1,000.00
No. 611 Maryland avenue SW	Office of chief clerk, storage rooms	300.00
Total		65,705.00

BUILDINGS AND ROOMS IN BUILDINGS RENTED BY DEPARTMENT OF COMMERCE AND LABOR IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

Willard Building, 513-515 Fourteenth street NW	Main building of Department	\$11,830.00
Emery Building, northwest corner First and B streets NW	Bureau of the Census	21,000.00
204-206 Fourteenth street NW	Bureau of the Census (storage)	1,080.00
National Safe Deposit Building, corner New York avenue and Fifteenth street (in part)	Bureau of Labor	6,750.00
Builder's Exchange Building, 719-721 Thirteenth street NW. (in part)	Light-House Board, Steamboat-Inspection Service, Bureau of Navigation	7,600.00
Adams Building, 1333-1335 F street NW. (in part)	Bureau of Statistics	4,039.80
Munsey Building, north side of E street, between Thirteenth and Fourteenth streets NW. (in part)	Division of Naturalization	4,000.00
1137-1139 Seventeenth street NW	Stables	1,500.00
920-922 E street NW. (in part) <sup>a</sup>	Storage of records of the Light-House Board	1,500.00
National Safe Deposit Building, corner New York avenue and Fifteenth street (in part). <sup>a</sup>	Storage of records of the Bureau of Labor	750.00
Total		60,049.80

BUILDINGS RENTED BY THE DEPARTMENT OF JUSTICE IN WASHINGTON FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

No. 1000 Vermont avenue	For records, offices, and business of the Department	\$6,500.00
No. 1435 K street NW	do	10,000.00
No. 8 Jackson place	do	2,100.00
No. 6 Jackson place	do	1,800.00
Bond Building, Fourteenth and New York avenue; rooms 708 and 717, inclusive	do	1,800.00
No. 1439 K street NW	do	2,400.00
No. 1411 H street NW	For the records, offices, and business of the Spanish Claims Commission	3,600.00
Total		28,200.00

LIST OF BUILDINGS RENTED BY THE DISTRICT OF COLUMBIA FOR THE FISCAL YEAR ENDING JUNE 30, 1908.

District building	Executive and miscellaneous	\$9,000.00
Police station, Anacostia, D. C.	do	480.00
Stable for health department, 219-221 Jackson Hall alley	do	360.00
Vault in premises Nos. 228-232 First street NW	do	600.00
Police department, 470 Louisiana avenue NW	do	2,400.00
Harper Building, 467 C street NW., four rooms	do	390.00
House of Detention, 505 Eighteenth street	do	900.00
Premises rear 458 Louisiana avenue NW	do	120.00
Premises rear 921 D street NW	do	240.00
Columbian Building, insurance department, 5 rooms	do	840.00
Columbian Building, corporation counsel	do	1,000.00
Temporary Home ex-Union Soldiers and Sailors, No. 106 Third street NW	do	600.00
No. 468 Louisiana avenue NW., 2 rooms	do	300.00
Property yard, lot 4, square 775	do	18.23
Room rear 419 Third street NW	do	48.00
No. 1816 F street NW	do	240.00
No. 472 Louisiana avenue, Gunton Building, 5 rooms	do	540.00
Total executive and miscellaneous		18,046.23

<sup>a</sup> Paid from the appropriation "Contingent expenses, Department of Commerce and Labor."

Statement of buildings rented within the District of Columbia for the use of the Government, etc.—Continued.  
LIST OF BUILDINGS RENTED BY THE DISTRICT OF COLUMBIA FOR THE FISCAL YEAR ENDING JUNE 30, 1908—continued.

Location of building.	For what purpose used.	Annual rental.
Miner Building, Seventh and Church streets NW	Public schools	\$2,500.00
Nos. 607-609 O street NW	do.	912.00
Nos. 624-626 O street NW	do.	1,450.00
N. E. Industrial School, corner Eighth and I streets NE	do.	900.00
Peabody Annex, 646 Massachusetts avenue NE	do.	696.00
Repair shop, Nos. 11 and 13 D street NW (2 months)	do.	100.00
Premises Bunker Hill road, between Eighth and Ninth streets NE	do.	300.00
No. 730 Twenty-fourth street NW	do.	720.00
Masonic Temple, Anacostia, D. C., 2 rooms	do.	440.00
No. 494 Maryland avenue SW., 2 rooms	do.	360.00
No. 212 H street NW, second floor	do.	840.00
Garfield Hall, Garfield, D. C.	do.	360.00
No. 1017 Twelfth street NW	do.	1,200.00
Premises southeast cor. Brightwood ave. and Longfellow street, 1 room	do.	300.00
Israel Baptist Church, assembly hall	do.	360.00
People's Seventh Day Adventist Church, 2 rooms	do.	540.00
No. 102 Fenwick street NE	do.	144.00
Contee's African Methodist Episcopal Church, Burrville, D. C.	do.	150.00
No. 1129 G street NE, 3 rooms	do.	300.00
No. 2801 N street NW	do.	600.00
No. 4724 Sheriff road	do.	150.00
No. 533 Twelfth street SE	do.	1,200.00
Emanuel Baptist Church, Garfield, D. C.	do.	340.00
No. 1606 M street NW, banquet hall	do.	300.00
Langdon Hall, Langdon, D. C.	do.	180.00
Chapel, St. Luke's P. E. Church, Fifteenth and Church streets NW	do.	300.00
Lincoln Memorial Chapel, Sixth and Trumbull streets	do.	300.00
Lincoln Temple Congregational Church, Eleventh and R streets NW	do.	300.00
Samaritan Temple, First, between Second and Third streets SW, 2 rooms	do.	525.00
No. 1338 H street NE	do.	300.00
No. 1120 Twentieth street N W	do.	318.00
Total for public schools		17,285.00
National Guard Armory, Center Market	Militia, District of Columbia	8,000.00
No. 902 Pennsylvania avenue NW, third and fourth floors	do.	1,000.00
True Reformers Building, Twelfth and U streets NW, basement and office rooms	do.	1,500.00
Armory, 1405 D street NW	do.	1,200.00
Rooms in Evening Star Building	do.	2,100.00
Rifle Range, Hillsdale, D. C.	do.	550.00
Total for militia, District of Columbia		14,000.00
Grand total of rent for the District of Columbia		49,331.23

ROOMS RENTED BY THE INTERSTATE COMMERCE COMMISSION, WASHINGTON, FOR THE FISCAL YEAR 1908.

No. 1317 F street, American Bank Building, third, fourth, fifth, sixth, seventh, eighth, and ninth floors, five rooms on the second floor and one room on the first floor; also the entire cellar (including heating, elevator, and water service).	Interstate Commerce Commission	\$18,060.00
No. 1311 G street, Epiphany Building, two rooms on the third floor, three rooms on the second floor, and three rooms in basement (including heating, elevator, and water service).	do.	3,300.00
No. 1309 G street, third, fourth, fifth, and sixth floors (including heating, elevator, and water service).	do.	6,000.00
Basement of building No. 1334 F street	do.	1,200.00
Total		29,160.00

RECAPITULATION.

Department.	Amount.	Department.	Amount.
State Department	\$3,580.00	Department of Commerce and Labor	\$80,049.80
Treasury Department	37,146.00	Department of Justice	28,200.00
War Department	17,720.00	District of Columbia	49,331.23
Navy Department	24,500.00	Interstate Commerce Commission	29,160.00
Interior Department	50,140.00	Total	415,622.03
Post-Office Department	50,090.00		
Department of Agriculture	65,705.00		

Mr. CARTER. The remarks of the Senator from West Virginia [Mr. SCOTT] were very interesting, and inasmuch as they contain not only statements of great value but figures which may be consulted hereafter, I ask unanimous consent that, aside from being printed in the Record, they be printed as a document.

The VICE-PRESIDENT. The Senator from Montana asks unanimous consent that the remarks just made by the Senator from West Virginia be printed as a document in addition to appearing in the Record. In the absence of objection, it is so ordered.

EXECUTIVE SESSION.

Mr. NELSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 1 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 14, 1908, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 13, 1908.

SURVEYOR OF CUSTOMS.

Jacob J. Greenwald, of Utah, to be surveyor of customs for the port of Salt Lake City, in the State of Utah. (Reappointment.)

UNITED STATES MARSHAL.

Aaron M. Storer, of Mississippi, to be United States marshal for the northern district of Mississippi, vice James A. Toler, whose term has expired.

PROMOTIONS IN THE ARMY.

Medical Department.

Maj. Charles Richard, surgeon, to be deputy surgeon-general, with the rank of lieutenant-colonel, from April 10, 1908, vice Corbusier, retired from active service.

Capt. William F. Lewis, assistant surgeon, to be surgeon,



with the rank of major, from April 10, 1908, vice Richard, promoted.

#### PROMOTIONS IN THE NAVY.

Ensign John S. Arwine, jr., to be a lieutenant (junior grade) in the Navy from the 3d day of February, 1908, upon the completion of three years' service in present grade.

The following-named ensigns to be assistant naval constructors in the Navy from the 24th day of March, 1908, to fill vacancies existing in that grade on that date, to correct the date from which they take rank as confirmed on March 31, 1908:

Robert B. Hilliard,  
Edwin O. Fitch, jr.,  
Lee S. Border,  
John C. Sweeney, jr.,  
James O. Gawne, and  
Alva B. Court.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 13, 1908.*

##### REGISTER OF THE LAND OFFICE.

Royal A. Prentice, of Alamogordo, N. Mex., to be register of the land office at Tucumcari, N. Mex.

##### COLLECTORS OF CUSTOMS.

Isalah J. McCottrie, of South Carolina, to be collector of customs for the district of Georgetown, in the State of South Carolina.

Edward R. Stackable, of Hawaii, to be collector of customs for the district of Hawaii, in the Territory of Hawaii.

##### APPRAISER OF MERCHANDISE.

William J. Beyer, of New York, to be appraiser of merchandise in the district of Buffalo Creek, in the State of New York.

##### POSTMASTERS. CALIFORNIA.

Thomas H. Hughes to be postmaster at Calexico, Imperial County, Cal.

##### GEORGIA.

Cicero C. Alexander to be postmaster at Commerce, Jackson County, Ga.

##### INDIANA.

Frank Daly to be postmaster at Lynn, Randolph County, Ind.

##### IOWA.

Edward T. Mills to be postmaster at Buxton, Monroe County, Iowa.

Frederick N. Taylor to be postmaster at Jewell, Hamilton County, Iowa.

##### MICHIGAN.

Charles N. Spear to be postmaster at Pittsford, Hillsdale County, Mich.

##### MINNESOTA.

Charles H. Pierce to be postmaster at Northfield, Rice County, Minn.

##### MISSOURI.

Elwood Alley to be postmaster at Chaffee, Scott County, Mo.  
John T. Farmer to be postmaster at Atlanta, Macon County, Mo.

##### NEW YORK.

William E. Clark to be postmaster at Fredonia, Chautauqua County, N. Y.

Charles L. Dix to be postmaster at Forestville, Chautauqua County, N. Y.

Richard H. McIntyre to be postmaster at Saranac Lake, Franklin County, N. Y.

##### OHIO.

Wilson A. Korns to be postmaster at New Philadelphia, Tuscarawas County, Ohio.

##### OKLAHOMA.

Charles H. Nash to be postmaster at Clinton, Custer County, Okla.

##### OREGON.

Robert Walker to be postmaster at Bandon, Coos County, Oreg.

##### PENNSYLVANIA.

Luthur M. Alleman to be postmaster at Littlestown, Adams County, Pa.

##### TEXAS.

L. B. Ruth to be postmaster at Howe, Grayson County, Tex.

##### WASHINGTON.

Thomas Harries to be postmaster at Renton, King County, Wash.

## HOUSE OF REPRESENTATIVES.

Monday, April 13, 1908.

[Continuation of the legislative day of Monday, April 6, 1908.]

The recess having expired, the House, at 11 o'clock and 30 minutes a. m., was called to order by Mr. MANN, as Chairman of the Committee of the Whole House on the state of the Union, under the rule.

#### NAVAL APPROPRIATION BILL.

The CHAIRMAN. The hour of 11.30 o'clock having arrived, the Committee of the Whole House on the state of the Union, under the order of the House, will resume its session for the consideration of the bill (H. R. 20471) making appropriations for the naval service for the fiscal year ending June 30, 1909, and for other purposes. General debate is closed by order of the House, and the Clerk will read.

The Clerk read as follows:

*Be it enacted, etc.,* That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June 30, 1909, and for other purposes.

Mr. HOBSON. Mr. Chairman, I offer the following amendments, to go at the end of line 7, page 1.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert on page 1, at the end of line 7:

"For promoting the cause of international arbitration, so as to decrease as rapidly as possible the necessity for maintaining costly armaments, \$100,000, to be expended as directed by the executive committee of the American group of the Interparliamentary Union."

Mr. FOSS. Mr. Chairman, I make the point of order on that amendment.

Mr. HOBSON. May I beg the gentleman to reserve the point of order?

Mr. FOSS. I will reserve the point of order for five minutes.

The CHAIRMAN. The gentleman from Illinois reserves the point of order on the amendment of the gentleman from Alabama.

Mr. HOBSON. Mr. Chairman, the purpose of this amendment is to establish a precedent by which every appropriation for the purpose of armaments made by the United States may carry with it an appropriation for the purpose of arbitration. It is conceded by all that for national security arbitration, when effective, is preferable to armaments. It is not only more in keeping with modern civilization, but is also far more economical. The public opinion of the whole world is now preparing the way for the time when arbitration can be made effective. In order to promote the cause of arbitration and hasten the day when it will become adequate for the necessities of the nations, there should be financial support, not only from broad-minded philanthropists, like Mr. Carnegie, but also from those governments that earnestly desire to substitute arbitration for armament in settling the differences that arise between nations.

The time has arrived when the Government should give substantial support in consolidating the groups of the Interparliamentary Union in preparing adequate representation at the meetings of the councils, and at the congresses of the Interparliamentary Union. Provision should also be made for permanent representation at the Pan-American conferences and for The Hague conferences. A Pan-American conference has already been called for 1910, and a third Hague conference for 1915, and it is time that measures should be taken to prepare to get the best results from these conferences. The time has come for the nations of the earth who desire to reduce the great burden of armaments to begin to promote through literature and through other means, such as the exchange of visits, those ideas that will advance the progress of public sentiment, and permit the evolution not only of general treaties of arbitration, but also of an international court that will not be a diplomatic body, but a judicial body, that will not simply have abstract jurisdiction, but concrete jurisdiction, and before which nations guilty of breaches of international law can be called for compulsory trial.

It is time to make The Hague conference permanent and automatic and thus evolve an international congress that will have authoritative power to make just laws for the world. The time is ripening when the nations of the world that desire arbitration to supersede armaments should begin to group themselves and evolve a system of executive power adequate to enforce the laws that have been made by an authoritative international legislative body and that have been adjudicated by an authoritative international judicial body.

As to the point of order, I submit that this amendment bears directly upon the question of expenditures involved in this bill; that just in proportion as arbitration is made more effective can armaments be decreased, and that an effort to extend arbitration is in line with the purposes of this bill, to provide for national defense. I earnestly appeal to the chairman of the Committee on Naval Affairs not to insist on his point of order. Let it go forth to all the world that this Congress, when it provides for necessary national defense, has in mind and in heart the coming of the day—not only abstractly, like the dreamers, but as practical men, who will spend the money and do the work to hasten it—when arbitration can be substituted for armament.

And let me point out that this amendment carries less than one-tenth of 1 per cent of the amount that the bill will carry. Can we not give one-thousandth part of what we believe necessary for armament to the cause of arbitration? I hope the gentleman will not insist upon his point of order.

Mr. BARTHOLDT. I understood the gentleman from Illinois, the chairman, to reserve the point of order.

Mr. FOSS. I reserved the point of order, but only for a few moments. I will reserve it until the gentleman from Missouri [Mr. BARTHOLDT] is through.

Mr. BARTHOLDT. Mr. Chairman, I am very glad to find myself in a position where I can agree with the gentleman from Alabama [Mr. HOBSON], even though we do disagree most seriously on other provisions of this bill. On the point of order which has been raised I desire to say, Mr. Chairman, that if this bill is one providing for national defense, then the point of order will clearly not lie, because the amendment offered by the gentleman from Alabama has this very object in view. There can be no more effective national defense than agreements between nations not to fight hereafter. There can not be any more effective security for this country than the knowledge on the part of all that in case of any difficulty we need not call upon the Army or upon the Navy for defense, but that we can quietly rely upon and invoke international agreements by which law and justice have been or will be substituted for the employment of force in the settlement of international differences.

It is time, Mr. Chairman, that the American Congress should do something in the way of constructive legislation for the cause of peace. We are spending hundreds upon hundreds of millions of dollars for war, but we are not spending one dollar for constructive work in behalf of the cause of peace. It is time that an appropriation, small as is the amount asked for in this amendment, should be made in order that the work of disseminating information on this great question, the work of educating the public opinion, can go on, and also that the necessary expenses may be paid and repaid to those men who, in attending international peace conferences, have from their own private means defrayed all of these expenses.

I think it is incumbent on the Government of the United States to show to the world that they are thoroughly in earnest in the promotion of the cause of peace. And let me state to you a few instances which might throw some light on this question. The small country of Norway is paying the expenses of all the delegates she sends to the interparliamentary conferences. The Republic of Switzerland pays all the traveling expenses of its delegates to the International Peace Congress. The Kingdom of Denmark, too, as I understand, pays all of those expenses. Why should not this rich and powerful country which has been marching in the forefront of the peace workers during the last twenty-five years show by actual appropriations that we are willing to support the cause, not only by sentiment, but materially, in order to enable the men who are engaged in it to do that work more efficiently? I hope, Mr. Chairman, that this point of order will be overruled, and if it should not be overruled, I give notice here and now that I shall introduce a bill in the House to-day which will provide for these appropriations.

Mr. FOSS. Mr. Chairman, I insist on the point of order.

Mr. SLAYDEN. I would like to have the gentleman withhold it for two minutes.

Mr. FOSS. I have already given notice that I would withhold it no longer.

It seems to me, Mr. Chairman, that this provision is clearly new legislation and that it is not germane to the question. This is a bill that provides appropriations for the naval service of the United States, and this amendment provides for the expenses of an interparliamentary union on the part of the United States. Clearly it is subject to a point of order as new legislation.

Mr. HOBSON. Mr. Chairman, I rise to a point of personal privilege. I should like to hear from the gentleman from Ohio

[Mr. BURTON] on this amendment and to invoke his good offices to remove the objections and point of order.

The CHAIRMAN. The Chair is ready to rule. The object of the bill under consideration is to make appropriation for the naval service, and for other purposes. The enacting paragraph of the bill provides for appropriations for the naval service of the Government, and for other purposes, and the amendment is to promote the cause of international arbitration so as to decrease as rapidly as possible the necessity for the maintenance of costly armament, to be expended as directed by the executive committee of the interparliamentary union.

The Chair thinks it is perfectly patent that the amendment proposes an appropriation not authorized by existing law, and proposes an item not germane to a bill appropriating money for the naval service. The Chair therefore sustains the point of order, and the Clerk will read.

The Clerk read as follows:

#### PAY OF THE NAVY.

Pay and allowances prescribed by law of officers on sea duty and other duty; officers on waiting orders; officers on the retired list; clerks to commandants of yards and stations, clerks to paymasters at yards and stations, general storekeepers, receiving ships, and other vessels; commutation of quarters for officers on shore not occupying public quarters, including boatswains, gunners, carpenters, sailmakers, warrant machinists, pharmacists, and mates, and also naval constructors and assistant naval constructors; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops; pay of enlisted men on the retired list; extra pay to men reenlisting under honorable discharge; interest on deposits by men; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineers' force, and men detailed for duty with Naval Militia, and for the Fish Commission, 42,000 men; 3,000 of the additional men herein authorized may be recruited upon the passage of this act; and the number of enlisted men shall be exclusive of those undergoing imprisonment with sentence of dishonorable discharge from the service at expiration of such confinement; and as many warrant machinists as the President may from time to time deem necessary to appoint, not to exceed twenty in any one year; and 2,500 apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, \$27,274,201.

Mr. MAI DEN. Mr. Chairman, I reserve the point of order on that part of the paragraph beginning after the word "men," in line 17, page 2, and including the words "acts," line 18, same page. This would seem, Mr. Chairman, to make available the amount of money authorizing the Secretary of the Navy to recruit 3,000 additional men immediately upon the passage of this act. I do not wish to say that I object to this language in the paragraph, but I believe there ought to be an explanation made as to the necessity for it before it is enacted into law.

Mr. FOSS. Mr. Chairman, in this bill we provide that 3,000 of the 6,000 additional men shall be recruited at once. This is due to the fact that the Secretary of the Navy in his hearing before the committee stated that he was very desirous that he should be given this privilege, for the reason that we have now recruited up to our present quota of 36,000 men and the recruiting at the present has been exceedingly good. We have to get men when we can get them, but there are times when it is difficult to get men to enlist in the service; but just now it is possible to get a large number of good men, and for that reason the Secretary asked that this provision as to 3,000 of the 6,000 increase might be made immediately available.

Mr. MADDEN. I am satisfied with the explanation of the chairman of the committee, and I withdraw the point of order.

Mr. PADGETT. Mr. Chairman, I would like to state in addition to the reason given that the Secretary stated that these 3,000 men were necessary to go upon the ships that will be commissioned between now and the 1st of July.

Mr. FOSS. Those are the *California*, the *Mississippi*, the *Idaho*, the *New Hampshire*, the *South Dakota*, the *North Carolina*, the *Montana*, the *Chester*, the *Birmingham*, and the *Salem*, Now, Mr. Chairman, I desire to offer an amendment on page 2, line 1.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 1, after the word "vessels," insert the following: "Two clerks to general inspectors of pay corps."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order, awaiting an explanation from the chairman of the committee.

Mr. FOSS. This is a provision for two clerks to general inspectors in the pay corps. This estimate was sent to us in the Book of Estimates, and when we considered it, after hearing from the Paymaster-General, the committee were under the impression that it related to two new clerks, but upon further information and talk with the Paymaster-General we learned that unless this provision was put in we would be doing away with two clerks already employed in the Navy Department. One of them has been employed there as a clerk to the general



inspector's corps since 1880, and the other for about a year, but under a decision of the Comptroller—and I may say it is hardly a decision yet, but it will be a decision after the 1st of July—the Comptroller will hold that these clerks are not authorized by law, but the Comptroller has agreed to hold up his decision until the Paymaster-General shall have an opportunity to secure, if possible, authority for these two clerks.

Mr. STAFFORD. If the chairman of the committee will yield for a question—

Mr. FOSS. I will yield.

Mr. STAFFORD. I understood the gentleman to say that the committee believes that these additional clerks are necessary for the service, and this is merely to provide—

Mr. FOSS. They are not additional; they are already employed.

Mr. STAFFORD. This is to provide for clerical service that is really necessary for the service?

Mr. FOSS. Yes.

Mr. STAFFORD. I would like to ask, further, where are they now employed?

Mr. FOSS. In the Paymaster-General's office.

Mr. STAFFORD. I withdraw the point of order, with that explanation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. FOSS. Now, Mr. Chairman, I desire to offer the following amendment:

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 3, line 3, after the word "dollars," insert the following: "Provided, That the pay and allowances, except forage and mileage, which shall be governed by existing law, of all officers of the Navy and the Marine Corps shall be the same as the pay and allowances of officers of corresponding rank in the Army."

"That the pay of midshipmen, warrant officers, mates, and paymasters' clerks is hereby increased 25 per cent: *Provided*, That the pay and allowances of midshipmen after graduation at the Naval Academy shall be the same as that provided for second lieutenants of the Army, not mounted."

"That the pay of all commissioned, warrant, and appointed officers, and enlisted men of the Navy and the Marine Corps on the retired list shall hereafter be based on the pay, as herein provided for, of commissioned, warrant, and appointed officers, and enlisted men of corresponding rank and service on the active lists."

"That nothing herein contained shall be construed so as to reduce the pay or allowances now authorized by law for any commissioned, warrant, or appointed officer or any enlisted man on either the active or retired list of the Navy or Marine Corps, and that all laws or parts of laws inconsistent with the provisions of this act are hereby repealed."

Mr. MADDEN. Mr. Chairman, I make the point of order that this is new legislation and out of order on an appropriation bill.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the amendment.

Mr. FOSS. I hope the gentleman will reserve the point of order for a statement in connection therewith.

Mr. MADDEN. I will reserve it.

The CHAIRMAN. The gentleman from Illinois reserves the point of order upon the amendment offered by his colleague.

Mr. FOSS. Mr. Chairman, this amendment is clearly subject to the point of order. It is new legislation, but I think it is new legislation which ought to go upon the bill at this time. This amendment provides that the pay of officers in the Navy shall be the same as those in the Army. The situation is this: In the Army bill in the Senate a provision has been placed upon it increasing the pay of officers in the Army. It will be recalled that here in the House we put on a provision increasing the pay of the men in the Army. They have added to that in the Senate not only by increasing the pay of the men over and above that which was provided for in the House, but in addition thereto they have put on an amendment increasing the pay of the officers of the Army.

Mr. MADDEN. I wish to ask my colleague, the chairman of the committee, whether by the passage of this amendment he wishes to give notice to the Senate that we will accept the amendment which has been placed upon the Army bill in the Senate?

Mr. FOSS. No; not at all. This amendment simply states in so many words that the pay of the officers of the Navy shall be the same as the pay of the officers of corresponding rank in the Army, so that if the Senate amendment on the military bill does not go through it will not affect anything, and if it does go through, then it places the Navy just where the Army is. This amendment which I have introduced here is the same as the special bill which has been reported by the Committee on Naval Affairs unanimously, and is upon the House Calendar today.

Mr. MADDEN. Is the pay of the Army and the Navy the same to-day under the existing law?

Mr. FOSS. It is the same as to the active list.

Mr. MADDEN. If this amendment should be adopted, would it not then be anticipating an increase in the pay of the Navy because of the fact that the Senate has put on such an amendment on the House military bill as a rider?

Mr. FOSS. I do not know what the action of the House will be on the military bill. It is difficult to state what it will be, but I rather imagine that there will be an increase in the pay of the officers of the Army this year. What that increase will be I do not know; but, anyhow, by putting this amendment on the naval bill we will be in a position where the Navy will stand upon the same footing as the Army. In other words, it will go into conference, and if there is no increase in the pay of the officers in the Army, then, I can say to the gentleman, there will be no increase in the pay of the officers of the Navy.

Mr. MADDEN. Does the gentleman wish to convey to the House the information that if this amendment is adopted in this bill now it will go into conference?

Mr. FOSS. Yes.

Mr. MADDEN. He surely does not wish the House to believe that if this particular amendment goes into the bill at this time, and is approved by the Senate, that the conferees will have anything to do with it?

Mr. FOSS. I do not say that it will be approved by the Senate.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. FOSS. Yes.

Mr. SLAYDEN. I would like to ask the gentleman to tell us if these lines in this proposed amendment—

That the pay of midshipmen, warrant officers, and paymasters' clerks shall be increased—

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SLAYDEN. I move to strike out the last word.

The CHAIRMAN. The motion of the gentleman is out of order.

Mr. PADGETT. Does the five-minute rule apply to a discussion pending the point of order?

The CHAIRMAN. The Chair is advised that the five-minute rule applies where the discussion is as to the merits of the proposition, but the five-minute rule does not apply in a discussion of a point of order.

Mr. MADDEN. Mr. Chairman, I make a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BARTHOLOTT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read:

The Clerk read as follows:

Insert on line 3, page 3, after the word "dollars:"

"That Navy bands or members thereof shall not receive remuneration for furnishing music outside the limits of military posts, when the furnishing of such music places them in competition with local civilian musicians."

Mr. MUDD. Mr. Chairman, on that I make a point of order. Mr. BARTHOLOTT. I hope the gentleman will withhold his point of order for a minute.

Mr. MUDD. I reserve the point of order.

Mr. BARTHOLOTT. Mr. Chairman, a provision identical to this was unanimously approved by the House the other day when the Army appropriation bill was under consideration. It was subject to a point of order then, and I am aware that it is subject to a point of order now, but I desire to explain for a few minutes the meaning of this amendment. The practice has grown up in this country to send out soldiers and permit them to compete with civilian laboring men. Especially is this true with regard to the bands. Members of military and naval bands will go out and take contracts for music, and in that way deprive the civilian musicians of the opportunity of making a living. It is quite natural that the competition is uneven and unfair, because the members of military and naval bands are furnished with sheet music, with instruments, with rations, with pay from the Government, while the civilian musician is obliged to pay for all these things out of his own pocket. And consequently I say the competition is an unfair one, and it is time that it be stopped. I hope that in the other House, where corrective legislation may be had, this matter may be taken into consideration.

Mr. MUDD. Mr. Chairman, while the point of order is reserved, I would like to say one word in explanation of my making it. The Committee on Military Affairs has reported and the House has passed—in fact, if I am not mistaken, it is now in the law—a provision giving fair wages to the band at West Point. That has not been done as to the band at Annapolis, and until that is done I shall make the point of order as to any amendment of this character including them, and not consent to taking away from them the little opportunities

that they have to get living wages in Annapolis or elsewhere in the community by extra and outside work.

Mr. BARTLETT of Georgia. Does the gentleman think it is fair to citizens engaged in private business, not supported by the Government, that the Government should permit men employed by it and paid regular wages to compete with them? Does the gentleman think that the Government, when it employs men as these are employed, and pays them money that is raised by taxes from the citizens, and when they are clothed and fed and kept by taxes collected from the citizens, should permit those men to go out into public and compete with the citizens in their customary business?

Mr. MUDD. Ordinarily not.

Mr. BARTLETT of Georgia. I do not think so, either, and I would like to correct it by legislation.

Mr. MUDD. When you come to this band at Annapolis, it does just as much work in the line of its duty as the band at West Point. As Congress has passed a law recently increasing the wages of those at West Point, and has refused thus far to do it for the Naval Academy band, I insist upon the point of order.

Mr. BARTLETT of Georgia. I am sorry the gentleman makes it. I would like to vote for the amendment, so as not to subject the private citizen to competition with the employee of the Government.

Mr. BARTHOLDT. I would like to ask the gentleman from Maryland [Mr. MUDD] a question. I believe the gentleman is a member of the Naval Committee?

Mr. MUDD. I am.

Mr. BARTHOLDT. Did not the gentleman have an opportunity to amend the bill by offering an amendment increasing the pay of the band at Annapolis?

Mr. MUDD. I would suggest to the gentleman that he might answer that by the experience he is just having, an experience that any other Member will have who offers an amendment to the naval bill that is subject to a point of order. If he will go back through the last several years and note how many times a proposition of this kind has been made and stricken out by point of order, and how many times provisions for better pay for the Naval Academy band have gone out in the same way, I think he will understand my position.

Mr. BARTHOLDT. In the case of the Army bill, Mr. Chairman, a provision was passed increasing the pay of the enlisted men, and at the same time stopping this unfair competition.

Mr. SLAYDEN. It would not have been out of order for the committee to have reported an increase of pay for them.

Mr. MUDD. It has been reported here for several years and it has never been able to get through. I insist on the point of order. I am looking out for the members of this one band in my own country. Make the amendment in such shape as not to apply to them and I shall not oppose it.

The CHAIRMAN. The Chair is ready to rule. The amendment is clearly obnoxious to the rule, and the Chair sustains the point of order.

The Clerk read as follows:

#### PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders, and for traveling expenses of civilian employees, and for actual and necessary traveling expenses of midshipmen while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen; for rent and furniture of buildings and offices not in navy-yards; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks' and witnesses' fees, and traveling expenses and costs; stationery and recording; expenses of purchasing paymasters' offices of the various cities, including clerks, furniture, fuel, stationery, and incidental expenses; newspapers and advertising; copying; care of library, including the purchase of books, photographs, prints, manuscripts, and pe iodicals; ferrriage; tolls, and costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, in maintenance of students and attaches and information from abroad, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), telephone rentals and tolls, telegrams, cablegrams, and postage, foreign and domestic, post-office box rentals; and other necessary and incidental expenses, \$723,000.

Mr. PADGETT. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the committee to a matter that has been of considerable interest to the Committee on Naval Affairs. The gentleman from Iowa [Mr. DAWSON] Saturday called attention to the cumbersome methods of administration and to the necessity of reformation in the Department. Here is an illustration, and your committee has attempted, by the italicized words of the section just read, to remedy to some extent the evil of extravagance of administration. I desire to call attention to a statement of

Admiral Rogers as found in his hearing on pages 49 and 50, which I read, as follows:

In the case, for instance, of telephone service for any particular yard, one contract is made with the telephone company for a switch-board, use of trunk line, so many telephones, etc. The amount of this contract must be prorated among the nine departments, necessitating nine vouchers, where otherwise one would answer.

Again, take the item of telegrams. Under the present system each yard submits nine requisitions (one for each Bureau and the Secretary's office). There are two telegraph companies, and each month or quarter—depending upon whether the companies render monthly or quarterly bills—there are eighteen sets of vouchers to be prepared by the general storekeeper at the yard and forwarded for payment. The same laborious process exists with regard to all requisitions for ice.

At present, requisitions and vouchers for telephones, telegrams, and ice are about 2,350 annually, and under the new plan they would be about 270. The number of requisitions for postage, being submitted for small quantities of stamps as needed, would not be materially affected. This proposition would much reduce paper work and result in a corresponding saving of time and expenses in all yards, pay offices, in the bureaus, and the office of the Auditor.

The accompanying statements "C" and "D" show a close estimate of the amounts paid from the appropriations of the various bureaus for telephone rentals, telegraph charges, and postage, also for ice, during the fiscal year 1907. These aggregate \$48,000, made up of \$38,000 for telephones, etc., and \$10,000 for ice, which, added to the \$675,000 appropriated under "Pay, Miscellaneous, 1908," makes the amount estimated, viz, \$723,000, and the various bureau appropriations which have borne these charges can be justly reduced accordingly.

The words "foreign postage; telegraphing, foreign and domestic; telephones" and "and express fees," appearing in the various parts of the appropriation for 1908, should accordingly be eliminated, and again inserted in a single item with the wording so amplified as to cover all charges of this character for the naval establishment for the reasons stated.

Now, I want to call attention to a statement on page 59 of the Admiral's hearing, as follows:

Admiral ROGERS. If by trouble you mean friction, there is none; if you mean cumbersome methods, there is plenty. I will give you an example and will take a yard with which I am most familiar—my last duty. We have an increase of the navy account, a common general stock account, and a naval supply fund account. These are in loose-leafed ledgers, with a page 10 by 12 inches, and about 200 to 250 pages to the book. There were between 150 and 200 of those books in which to keep account of stock under three separate heads. It is a cumbersome method of bookkeeping.

Why do we need three accounts? Why not transfer all to the naval supply fund? Why not have one set of books instead of three sets—all parallel?

The CHAIRMAN. The time of the gentleman has expired. Mr. PADGETT. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. PADGETT. I will read further:

I need not tell you gentlemen that the cost is great. It means more clerks, more stationery, more books, and more time. What reason can there be for the enumeration of one item several times? It does not cost so much money to keep an account of 100,000 pounds of bar iron under the naval supply fund as it does to keep 33,000 pounds in each of three separate accounts.

The Admiral made the astonishing statement that the average cost of each voucher was \$10. Here we have the statement that the ice, telephone, and postage cost \$48,000, and that it required 2,350 requisitions or vouchers each year. He also says:

It is the clerical work on requisitions, contracts, vouchers, and things of that kind which cost money. It has been estimated in previous years that each one of our vouchers in the Navy cost about \$10 on the whole. That is about \$700,000 a year in the clerical work culminating in vouchers. Of course that includes also all work that leads up to them.

So that in expenditures for a little fund of \$48,000 it costs \$23,500 for clerical services. I simply call the attention of the House to that, in order to show the duplication and the cumbersome methods and the antiquated processes that prevail. I call attention to the method of bookkeeping—150 to 200 books in which three parallel accounts are kept of all items of purchase and expenditure.

Now, I am glad to say that the Committee on Naval Affairs have been giving their careful and serious consideration to this matter. I recognize and you doubtless will do so, that it is impossible to convert in a day or in a month or a year, perhaps, processes that have accumulated in years. We have the assurance of Admiral Rogers and also of Mr. Newberry, Assistant Secretary of the Navy Department, that the Department is taking up these matters for consideration and improvement. They have assured us by the next year they hope to have a plan to submit that will materially and radically change this system for the better. I call the attention of Congress to this, in order to call to their minds what the committee is doing and the necessity of improving, very radically, the methods of work along that line. [Applause.]

The Clerk read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department, or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy,



and for such purposes as he may deem proper, \$65,000: *Provided*, That the accounting officers of the Treasury are hereby authorized and directed to allow, in the settlement of accounts of disbursing officers involved, payments made under the appropriation "Contingent, Navy," to civilian employees appointed by the Navy Department for duty in and serving at naval stations maintained in the island possessions during the fiscal year 1909.

Mr. SLAYDEN. Mr. Chairman, I reserve the point of order on that paragraph. I would like to ask the chairman of the committee if this is not new language and a new disposition of the funds appropriated.

Mr. FOSS. It is not. It has been in identically the same language for years.

Mr. SLAYDEN. What is it for?

Mr. FOSS. "Contingent."

Mr. SLAYDEN. It says, speaking of civilian employees:

In the settlement of accounts of disbursing officers involved, payments made under the appropriation "Contingent, Navy," to civilian employees appointed by the Navy Department for duty in and serving at naval stations maintained in the island possessions during the fiscal year 1909.

Mr. FOSS. They are employed in the Philippines. A few civilian employees are employed under this appropriation.

Mr. SLAYDEN. It is not new legislation?

Mr. FOSS. It is not new legislation at all.

Mr. SLAYDEN. I withdraw the point of order.

The Clerk read as follows:

#### BUREAU OF NAVIGATION.

Transportation: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation, \$475,000.

Mr. KELIHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On line 25, page 4, after the word "enlistment," insert the words "and for the following reasons: Sentence of summary or general court-martial, inaptitude, unfitness for the service, illegal enlistment, undesirability, Executive order, or for such other reasons as may be determined upon by the Secretary of the Navy."

Also, on line 11, page 5, strike out the words "four hundred and seventy-five thousand dollars" and insert in lieu thereof the words "five hundred and twenty-five thousand dollars."

Mr. FOSS. Mr. Chairman, I make the point of order against that amendment.

Mr. KELIHER. Will the gentleman reserve his point of order?

Mr. FOSS. I will reserve it for five minutes only.

Mr. KELIHER. Mr. Chairman, this amendment is offered for the purpose of remedying a crying evil in the naval service of which the committee must be well aware. Under existing conditions to-day men who have served sentences in naval prisons when discharged therefrom are turned loose upon the streets in a great majority of cases without a single penny in their pockets. This also holds true of men discharged from the service because of unfitness, inaptitude, and because they have been found undesirable. These men are frequently discharged at places far removed from the location of their enlistment, penniless and desperate. There are no other paths open to them but those that lead to crime or mendicancy. Destitute in a strange city, miles away from their homes and friends, they fall an easy victim to temptation and recruit the ranks of criminals. Cities in which are located naval prisons bear the burden of the trouble and demand that some steps be taken by Congress to remove from their midst these unfortunates who, in a large per cent of cases, have homes elsewhere and have been recruited in far-off stations.

The chairman of the committee knows that the Secretary of the Navy has made a strong plea for authority which will permit him to remedy this evil. If the comparatively small sum which my amendment carries is added to the appropriation for transportation, and the chairman does not press his point of order, it will be possible for the Navy Department to care for these men by sending them back to the places of their enlistment, thus ridding communities of the duty of caring for an unwholesome class, the existence of which they are not in the slightest responsible for.

The Secretary of the Navy feels strongly upon the subject, as his letter to the committee will attest. In an endeavor to have done what my amendment will do, Secretary Metcalf wrote under date of March 18:

The condition which exists at present is one that has long been a source of embarrassment to the Department, but which it has been unable to relieve. The sentence imposed in most cases by general court-martial allows for the payment to the prisoner of the sum of \$20 upon his discharge, provided he has it due him.

In view of the entirely inadequate prison facilities, the Department has been compelled to discharge many men before the term of confinement has half expired; frequently they are in debt to the Government when sent to prison, and as his indebtedness must be worked off before a prisoner can begin to draw pay to his own credit, the length of time which these men remain in prison is not sufficient for their accumulated pay to satisfy their indebtedness to the Government and also to entitle them to the \$20 allotted upon discharge by the sentence of the court. As a result, many of the men are discharged practically penniless, and as there is at present no provision of law by which they may be furnished civilian apparel, they are released with the clothing they wore when admitted to the prison—in most cases their uniform.

This letter of Secretary Metcalf to the committee, praying for relief which has not been granted, was inspired by reports received from officers of the service who come in contact with the unfortunates who are discarded from the service. From practical experience these officers realize the need of such action as I propose. Rear-Admiral Swift, recently in command at the Boston Navy-Yard, forwarded to Secretary Metcalf this communication, which offers ample reason why the chairman should not press his point of order, but should join with me in providing relief from a disgraceful condition of affairs.

UNITED STATES NAVY-YARD,  
Boston, Mass., March 14, 1908.

SIR: On January 15 I forwarded a letter from the commanding officer of the *Wabash*, with an indorsement, in which certain usages in connection with the discharge of general court-martial prisoners were discussed. The whole letter shows a condition of affairs which must be a cause of solicitude to the Navy Department, as it is to me. As a result of the existing conditions, general court-martial prisoners are sometimes discharged in Boston without money and with Navy uniforms for clothing, and there is much unfavorable comment on the part of civilians, much criticism of the naval authorities here, and much discredit cast upon the uniform of the enlisted man.

Within two or three days I have been interviewed upon this matter by several people—to-day by Bishop Lawrence, of Massachusetts. He was very guarded in what he said; but the impression made by the present state of things is very unfortunate, and the people who are brought directly in contact with these discharged prisoners, who find them in destitute circumstances and hear their stories, show considerable temper in discussing the situation. They also feel that the Government is unloading upon Boston and the vicinity a responsibility which does not belong to them.

Paragraph 8 of the above-mentioned letter from Captain Nazro states that a number of these men have joined the lower criminal class in the city, and several instances have occurred in which they, in company with others of such class, have waylaid enlisted men on their way to and from the navy-yard and robbed them of money and clothing. They have also been begging in uniform about the streets of the city. Instances of this last kind have occurred within a few days.

It appears to me that provision should be made by law, if necessary, and immediately, if possible, to provide all discharged court-martial prisoners with suits of plain clothes, making some rule by which their outside uniform clothes shall be sold, so that they may not appear after discharge in the uniform of the Navy; also that upon discharge they should be supplied with transportation, being put on board a train to take them in the direction of their homes and sufficiently far from Boston to make their return here improbable. In most cases a ticket costing from \$5 to \$10 would take them from Boston home.

As a number of rulings have been made by the Treasury Department which prevent the execution of the sentences of court-martial in regard to the allotment of \$3 per month for prison expenses, also that ordinary provision giving them \$20 upon discharge, it might be advisable to provide the prisoners with a printed statement showing precisely what court-martial prisoners under different conditions may expect. Much of the unfavorable criticism now heard results from discharged prisoners showing the terms of their sentences, with a statement that they have not received the money to which they are entitled, and they leave the prison with a distinct suspicion that they have not been justly treated and make statements to this effect after leaving the navy-yard.

Very respectfully,

WM. SWIFT,  
Rear-Admiral, United States Navy, Commandant.

The SECRETARY OF THE NAVY,  
Washington, D. C.

Bishop Lawrence, of Massachusetts, has added his powerful voice to the appeal for relief and not without knowledge of conditions. This distinguished churchman, whose practical and effective work for the uplifting of the unfortunates of the city of Boston entitles him to marked consideration in a matter of this nature, says:

DIOCESE OF MASSACHUSETTS,  
OFFICE OF THE BISHOP,  
1 Joy street, Boston, March 14, 1908.

The SECRETARY OF THE NAVY,  
Washington, D. C.

MY DEAR SIR: I take the liberty of forwarding to you the inclosed letter, which has come to me from the superintendent of our sailors' work in Charlestown. As you will see, he is accustomed to speak in rather lively language. It is, however, I understand, a fact that men in the uniform of the United States Navy are discharged from the prison without money with which to get away from the city. There is this evil, too: That they naturally group together and influence each other badly. If, in addition to supplying them with citizens' clothes, arrangements could be made for distributing them separately through the country, it would be an advantage to the service as well as to the men.

No doubt this subject has come before you before, but I take the liberty of sending this letter on with this line from myself, which you need not take the trouble to acknowledge.

I remain yours, respectfully,  
WM. LAWRENCE.  
(P. O. address, 122 Commonwealth avenue.)

SAILOR'S HAVEN, 46 WATER STREET,  
Charlestown, Mass., March 13, 1908.

Right Rev. WILLIAM LAWRENCE, D. D., Boston, Mass.

MY DEAR BISHOP LAWRENCE: During the past few days several enlisted men of the Navy have been discharged from the prison in the Charlestown Navy-Yard entirely destitute of money. These men are wearing the uniform of the Navy. Some of them have come to me to beg for a night's lodging, and it does seem to me that there is something radically wrong. Court-martial sentences read that these prisoners are to receive \$20 from the Government at the expiration of their confinement. I would beg of you to find out from Washington what becomes of this \$20 that these prisoners are supposed to have. I am told that it is used for prison expenses, such as writing material, towels, etc. If the sentence reads that they are to have \$20 at the expiration of their term, who has the authority to advance this money to the men so that when they are discharged they are so absolutely destitute? Again, I would ask that something be done so that these men when discharged from the naval prison shall be given a suit of civilian clothes. It is a disgrace to the uniform to have men thrown on the street begging assistance wearing the Government uniform. I am now helping some of these men, sheltering and feeding them, and I believe that were you to take it up with the Secretary of the Navy something would be done for them.

I am also informed that the citizens are not allowed to purchase the uniform from these ex-naval prisoners, and therefore the men have no resource whatever in getting a new start. A man discharged from the State prison is treated with more consideration than a man from the naval prison.

STANTON H. KING.

Mr. Chairman, there are naval prisons located at Boston, Portsmouth, N. H., Mare Island, Puget Sound, and at New York Navy-Yard a small number of prisoners who are awaiting trial are held. In Boston is located the second largest prison, and that city suffers great abuse from this inexplicable, unjustifiable system.

This statement, showing number of prisoners discharged from naval prison at Boston, Mass., and the places from which they hail, during the six months ended March 31, 1908, furnishes an idea of what we have to contend with:

Residence.	1907.			1908.		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Boston, Mass.	4	6	5	15	10	15
New York City	5	16	3	10	8	18
Chicago, Ill.	2	4	2	3	1	7
Philadelphia, Pa.	1	8	1	8	4	9
Baltimore, Md.	1	2	1			4
Pittsburg, Pa.	1			3	2	4
St. Louis, Mo.	1	5		1	2	2
Kansas City, Mo.		2		2		
League Island, Pa.	1	2		1		
Newport, R. I.	1		1	1		1
Buffalo, N. Y.	1			2	2	1
Norfolk, Va.	1	3		1		1
Duluth, Minn.		1		1	1	
Swanee, Okla.		1				
Cincinnati, Ohio		1		1		
Omaha, Nebr.		1		2		
Springfield, Ohio		1				
Lowell, Mass.		1				
St. Cloud, Minn.		1				
Detroit, Mich.		1	1	1	2	1
Lancaster, Pa.		1				
Salem, Mass.		1		1		
Dayton, Ohio		1				
Evansville, Ind.		1				
Erie, Pa.		1				
Mare Island, Cal.			1			
Rochester, N. Y.				2	1	
Denver, Colo.				1		
Dunkirk, N. Y.				1		
Washington, D. C.				4		1
Wheeling, W. Va.				1		2
Providence, R. I.				2		
Paterson, N. J.				1		
Erie, Pa.				1		
Milwaukee				1	1	1
Minneapolis, Minn.				1	1	3
St. Paul, Minn.				1		
Syracuse, N. Y.				1	2	
Mankato, Minn.				1		
Little Rock, Ark.				1		
Tompkinsville, N. Y.					1	
Ardmore, Ind. T.					1	
Louisville, Ky.					1	
Indianapolis, Ind.					1	
Cleveland, Ohio					1	4
Hartford, Conn.					2	
New Orleans, La.					1	1
Newark, N. J.					1	
New Haven, Conn.					1	
Grand Rapids, Mich.						1
Charlotte, S. C.						1
Shreveport, La.						1
San Antonio, Tex.						1
Toledo, Ohio						1
Wilmington, Del.						1
Huntington, W. Va.						1
Total	19	61	15	72	47	82

Number of prisoners confined at Boston, Mass., during six months ending March 31, 1908:

October, 1907	196
November, 1907	188
December, 1907	230
January, 1908	201
February, 1908	228
March, 1908	167

Mr. Chairman, it must be apparent to all that the inevitable result of opening the doors of a prison to so many men, precipitating them upon the streets, penniless and friendless, that only one of a few means of keeping from starving is open to them. They must beg, steal, starve, or throw themselves upon public charity, for the door to employment is closed to a stranger in a strange city fresh from prison. That crimes have been traced to the desperate former inmates of these naval prisons our court records will show. That my State is put to the burden of caring for many of them, this letter and accompanying statements prove conclusively:

COMMONWEALTH OF MASSACHUSETTS,  
STATE BOARD OF CHARITY,  
DIVISION OF STATE ADULT POOR,  
Boston, April 11, 1908.

Hon. JOHN A. KELIHER, Washington, D. C.

MY DEAR CONGRESSMAN: It has been a source of annoyance to this office and an apparent injustice to the Commonwealth for quite a period of years, but more markedly the past two years, from the applications of discharged prisoners, not only from the Charlestown Navy-Yard, but also from that at Portsmouth. These men come into our office almost invariably wearing the uniform of the United States Navy, having been directed here by the police or philanthropic citizens, absolutely penniless, and in very many cases not having had food for at least twenty-four hours, requesting transportation to their homes.

Investigation by my officers at the proper sources substantiate their statements that they were practically turned out upon the streets of Boston by the United States Government to starve, beg, or steal. I have found quite a number of these cases in the prison department of our State farm as vagrants, having been sentenced from our courts for begging and tramping. The statute provides for this offense a two-year indeterminate sentence, but under the rules of our board nine months is the minimum time they must serve.

You will recall my interview with you last summer at your office in Boston, accompanied by one of these discharged and penniless prisoners. I have made many appeals to the naval authorities in Boston to remedy this seeming injustice, but without avail.

The Commonwealth of Massachusetts has spent quite a good many hundreds of dollars for the transportation of these men to their homes in various parts of our country.

I inclose herewith, as typical of these cases, a copy of the investigation made by my officers in three of them. I trust that your efforts to remedy this great wrong to the discharged prisoner and the apparent injustice to the Commonwealth will meet with success.

Assuring you of my distinguished consideration and holding myself in readiness to assist you in any way you may suggest, I remain,

Yours, very truly,

J. F. LEWIS,  
Superintendent.

BOSTON, March 22, 1907.

J. F. LEWIS, M. D.,  
Superintendent State Adult Poor.

DEAR SIR: I herewith submit report in the case of Henry S. Pruette, who requests transportation to his home in Dubbs, Miss.

Henry S. Pruette, aged 22 years, born in Dubbs, Miss., single. Served in the Marine Corps. Enlisted in Memphis, Tenn., September 24, 1905, for four years; refused duty; court-martialed March 24, 1906, in Cuba; was sent within three days to Charlestown, and served eleven months and ten days on a two years' sentence; discharged from marine barracks, Charlestown Navy-Yard, March 21, 1907, at 1:30 p. m., but he remained there overnight. He applied to the mayor's office, city of Boston, for help, and was referred to you. Has lived in Dubbs, Miss., practically all of his life. Parents, William D. Pruette and Margaret M., nee Bass, born in Salisbury, Tenn. Mother deceased. Father now living in Dubbs, Miss.; owns real estate and does nothing but look after his property. Applicant has no relatives in the East. No funds.

Respectfully,

F. W. GOODHUE,  
Deputy Superintendent.

BOSTON, March 7, 1907.

J. F. LEWIS, M. D.,  
Superintendent State Adult Poor.

DEAR SIR: In regard to the application of Lee Estes, alias Luther Eptersen, for transportation from Boston to Pittsburg, Pa.; also of Romeo Landy, alias Frank Charles, for transportation to New York City, I would make the following report:

Lee Estes, 19 years of age, said to have been born at Pittsburg, Pa.; his parents never resided in Massachusetts. He enlisted in the United States Navy in Boston as ordinary seaman, January 10, 1906, had previously enlisted in the State of Florida and deserted; was identified and brought before court-martial, convicted, and placed in prison brig of the U. S. S. *Wabash* of the Charlestown Navy-Yard; was given a dishonorable discharge and released March 5, 1907. Discharge says man had been overpaid to the amount of \$11.30, and, further, it appeared on the paper that no travel allowance had been paid. Applicant says that the only money he received when released was \$4.20, paid to him by the officer in charge of the marines, whose duty it was to guard prisoners.

Romeo Landy, alias Frank Charles; 19 years; born Manville, R. I.; to New York City with parents when a child and there until he enlisted in the Navy, October 30, 1906, as an apprentice seaman; his parents both dead; no residence in Massachusetts. Only relative is a sister, who resides in New York City. Applicant was court-martialed and committed to prison brig on U. S. S. *Wabash* and was confined there until March 5, 1907, when he was given a dishonorable discharge and released; dis-



charge says man was overpaid to amount of \$6.78 and no travel allowance paid. He received from the officer of the marine guard 10c. Estes paid from \$4.20 which he received \$3 to friend who advanced this amount for tobacco, so that when applicants left the navy-yard at Charlestown at 3 p. m., March 5, they had about \$1.30 in their possession. Landy had received from sister in New York a suit of civilian's clothes; Estes appeared in uniform more in keeping with summer weather.

They made application to this board for transportation to their former homes same day.

Visitor called upon Lieutenant Taylor, executive officer of the U. S. S. *Wabash*, who stated that these men, having been court-martialed and convicted, were placed in the prison brig and by the rules of the Navy Department they would be entitled to receive 10 cents per day, or about \$3 per month, from the Government for prison expense. When released they would be allowed \$20; but if the prisoners were indebted to the Government at the time of their release the amount of such indebtedness would be deducted from the sum of money above mentioned, and nothing should be allowed if the amount to be given was not sufficient to liquidate debt of prisoner to the Department. He stated that he was unable to grant any relief to Estes and Landy, and said that he was simply following the instructions issued by the Department at Washington.

This Department sent Landy to New York and Estes to Pittsburg, Pa., on March 6, 1907.

Respectfully submitted.

W. J. HINCHCLIFFE.

Mr. Chairman, I trust that the chairman of the Naval Committee will not press his point of order. I want to assure him that in offering this amendment I do so after going over the subject fully and carefully with Admiral Pillsbury, Chief of the Bureau of Navigation. I arrived at the amount after computing the number of discharges from the Navy for 1907, which would come under the provisions of my amendment, which amounted to 2,005.

Upon the advice of the Bureau of Navigation I took Chicago as the mean distance for transportation, that being the center of enlistment, and figured \$25 as the average cost, which would bring the approximate total that would be required up to \$50,000. There is a time and a way to provide a much-needed remedy, and this is the time and this the way, if there is a disposition to do so. I will be told that the subject ought to be treated in a separate bill, but I answer by stating that the matter is of too much importance and is too imperative to be stayed off by any such argument.

Of late we have heard the glories of the Navy sung in ringing tones, and brilliant orators have vied with each other in painting glowing word pictures of the splendor and patriotism that attach to the service, but it is well to give at least a cursory glance at the seamy side of the life and a stray thought to its humanity. By granting the wish of the Department, and providing it with the authority and means to send the unfortunates of the service back to their homes, to their friends, probably to get a fresh start in life, many a human derelict may be rescued. With this thought in mind, I beg of the chairman not to insist upon his point of order. [Applause.]

Mr. FOSS. I will state that there may be more or less merit in the statement of the gentleman from Massachusetts, but it has not come before the committee in the form in which he presents it. There have been bills introduced relating to this subject which have the approval of the Secretary of the Navy and are now under consideration by one of the subcommittees of the Committee on Naval Affairs, and in view of that situation I shall insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order on the first amendment. The Clerk will report the second amendment.

The Clerk read as follows:

Also, on line 11, page 5, strike out the words "four hundred and seventy-five thousand dollars" and insert in lieu thereof the words "five hundred and twenty-five thousand dollars."

Mr. KELIHER. Mr. Chairman, in view of the attitude of the chairman of the committee, I withdraw that amendment.

The CHAIRMAN. If there be no objection, the amendment will be withdrawn.

The Clerk read as follows:

Recruiting: Expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties, \$130,000: *Provided*, That no part of this appropriation shall be expended in recruiting seamen, ordinary seamen, or apprentice seamen, unless a certificate of birth or written evidence, other than his own statement or statement of another based thereon, satisfactory to the recruiting officer showing the applicant to be of age required by naval regulations, shall be presented with the application for enlistment.

Mr. ADAIR. Mr. Chairman, I move to strike out the last word. I do that for the purpose of asking the chairman whether or not the amount carried in this appropriation for recruiting in the naval service is the same amount that has been heretofore carried in the provision for this purpose. It has been stated on the floor to-day that the matter of recruiting has been much easier of late than it has heretofore been. I pre-

sume that is on account of the vast number of men unemployed at the present time, and if that be true, I would like to have the chairman state whether this sum is necessary for the purpose, and whether it is the same amount heretofore carried in the appropriation bill for that purpose?

Mr. FOSS. It is an increase of \$8,660, and that is due to the fact that the Navy Department intends to establish two more recruiting stations, and also to the fact that we are providing for the enlistment of 6,000 more men. In consequence of those two things it will require an additional expense.

Mr. ADAIR. I withdraw the pro forma amendment.

The Clerk read as follows:

Outfits on first enlistment: Outfits for all enlisted men, and apprentice seamen of the Navy on first enlistment, at not to exceed \$60 each, \$900,000: *Provided*, That hereafter the Secretary of the Navy may, in his discretion, require the whole or a part of the cost of outfits allowed upon enlistment to be refunded in cases where men are discharged during the first six months of enlistment for any cause other than disability incurred in line of duty: *Provided*, That hereafter such refunds shall revert to the current appropriation for outfits on first enlistment.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order to these two provisos. I do not know whether I will press the point of order or not. My purpose is to ascertain the reason for the distinction between the character of those who are discharged, making an exception of that class who are discharged for disability incurred in the line of duty. I direct the attention of the chairman to the first proviso and the exception at the end, "for any cause other than disability incurred in the line of duty."

Mr. FOSS. Of course, if he has been disabled in the line of duty, they do not want the money back. He is discharged in consequence of that. But if he is discharged for any other reason—that is, for misconduct or negligence or anything of that sort, or for some other reason—they might insist on the money back.

Mr. STAFFORD. The effect of the provision is to exact from a recruit if he is discharged within six months, the amount of money that has been advanced to him.

Mr. FOSS. Yes; it is left to the discretion of the Secretary of the Navy. When he is enlisted he gets \$60 for his outfit. Very often after six months or a year he wants to get out, and the Government has invested so much money in him, and the Secretary of the Navy under this provision of the law can exact a return of the money. He enlists for four years and then he wants to get out, and it is no more than right that he should refund this advance payment.

Mr. STAFFORD. When he withdraws from service within six months, to whom does the clothing belong, the Government or the recruit?

Mr. FOSS. The clothing, or that which has been used, of course belongs to the recruit and he takes it.

Mr. STAFFORD. Then I would like to direct the gentleman's attention further as to the need of the second proviso; whether it would not require an additional accounting system if this refund is turned back into the appropriation for that purpose?

Mr. FOSS. No; I do not think so. It did not so appear in the hearings.

Mr. STAFFORD. If the second proviso was not included, would not the money revert to the Treasury?

Mr. FOSS. The money would go into the Treasury, but in view of the fact that we appropriate the money for the special purpose, keeping track of the total amount for naval establishment, it is much better that what we do not use shall go to the credit of this outfit.

Mr. STAFFORD. Attention has been called in the consideration of other appropriation bills to the fact that where a separate fund is provided for money that reverts to that fund, considerable additional expense is incurred in order to keep track of it and keep the accounts.

I think, Mr. Chairman, unless there is some special reason why the second proviso should be inserted that I shall insist upon my point of order. As to the first proviso, I will withdraw it.

Mr. CRUMPACKER. Mr. Chairman, I will renew the point of order to the first proviso. I do it because of the fact that under this proviso one who enlists in the Navy may incur a disability by accident, through no fault of his own, and the Secretary of the Navy would have the power to require him at any time within six months to return the amount of money advanced to him. Or he may be unable to acquire the habit of the sea. He may be constitutionally unable to become a seaman. He may work five months in the Navy and not acquire the sea habit and be discharged and penalized therefor. If the gentleman would amend the proviso authorizing the Secretary of the

Navy in his discretion to require the advance to be refunded in cases where men are discharged within six months on account of misconduct, I would have no objection to it.

Mr. FOSS. A boy enlists in the Navy, and three months after he gets in he desires to get out because it is not what he expected it to be, and the Government has invested \$60 advance in that enlistment. Does the gentleman think that a part of that sum ought to be refunded to the Government?

Mr. CRUMPACKER. How can the boy get out?

Mr. KEIFER. Through the Secretary of the Navy or the President.

Mr. CRUMPACKER. The Secretary of the Navy does not need to release him. The proposition suggested by the gentleman is not a sufficient reason for the incorporation in this bill of this proviso vesting in the Secretary of the Navy such power over men, innocent men, who may be discharged on account of disabilities that come to them in social life outside of the service altogether; men who might have to be discharged on account of sickness—on account of ptomaine poisoning, for instance, contracted by eating ice cream at a church social. I understand that officers and enlisted men in the Navy occasionally engage in social pleasures. The proviso is too broad. Unless the gentleman will limit it to discharges on account of misconduct I will insist on the point of order. Often in undertaking to remedy some abuse we make it a good deal worse, and do a good deal more mischief by the proposed remedy than we can possibly do good by the legislation.

Mr. FOSS. I will say that this is purely in the discretion of the Secretary of the Navy.

Mr. CRUMPACKER. I do not care. I am here partly to prevent discretionary power in departmental officers where it can be avoided, and I insist on the point of order as to the first proviso.

Mr. MACON. I want to say to the gentleman before he takes his seat that I am informed by the Naval Department that there is no chance to have a young man who has enlisted in the naval service released from that service until after the first year of the service, unless it is discovered that he is physically unfit for the service, but after one year of service, then the Secretary of the Navy, within his discretion, can release him from further service on payment of so much money for his unexpired term of enlistment. I have forgotten just what the amount is. Therefore the gentleman's position is very tenable when he insists that he ought not to be required to return any part of the money when discharged before the expiration of his enlistment unless he is discharged because of bad conduct on his part.

Mr. CRUMPACKER. I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order on both provisos. The Clerk will read.

The Clerk read as follows:

Ordnance and ordnance stores: For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work of the Ordnance Department; for watchmen at magazines, powder factories, and powder depots; for furniture in ordnance buildings at navy-yards and stations; for maintenance of the proving ground and powder factory, and for target practice, \$4,500,000: *Provided*, That no part of this appropriation shall be expended for the purchase of shells or projectiles except for shells or projectiles purchased in accordance with the terms and conditions of proposals submitted by the Secretary of the Navy to all of the manufacturers of shells and projectiles and upon bids received in accordance with the terms and requirements of such proposals. All shells and projectiles shall conform to the standard prescribed by the Secretary of the Navy.

Mr. HITCHCOCK. Mr. Chairman, I would like to ask the gentleman from Illinois, chairman of the committee, as to the extent to which the Government manufactures powder for use in the Navy.

Mr. FOSS. I will state to the gentleman that we have not reached that point in the bill. It comes a little later.

Mr. HITCHCOCK. I thought there was an item in here for powder.

Mr. FOSS. It comes over a little further. We do manufacture powder. I think last year we manufactured 1,047,000 pounds.

Mr. HITCHCOCK. What proportion does that bear to the total amount consumed?

Mr. FOSS. We purchased 2,000,000 pounds—about one-third.

Mr. HITCHCOCK. Manufactured about one-third. How does the cost of manufacture by the Government compare with the purchase price when bought of a private concern?

Mr. FOSS. We pay 67 cents a pound, and it costs to manufacture 47 cents a pound. Of course, that does not take into consideration the construction of the plant and the cost of the plant.

Mr. HITCHCOCK. Has the gentleman brought in any measure here to manufacture a larger proportion in Government

factories, inasmuch as the gentleman has shown that it costs 20 cents a pound less to manufacture by the Government than to purchase it?

Mr. FOSS. I do not think it costs any less, as a matter of fact, if we take into consideration the cost of the plant and the appropriations made every year in order to maintain the plant; but I would say that the price of powder is fixed by a Joint Army and Navy Board and it is regarded by that board as being a fair and reasonable price.

Mr. HITCHCOCK. The gentleman means the price for the purchase?

Mr. FOSS. The purchase of powder.

Mr. HITCHCOCK. In the market?

Mr. FOSS. In the market.

Mr. HITCHCOCK. I understand that the Army appropriation bill during this session provides that all powder used in the Army shall be manufactured by the Government, it having been demonstrated that the cost is so much less.

Mr. FOSS. I was not aware of that fact.

Mr. HITCHCOCK. And if the experience of the Government in this naval manufacture is that it costs one-third less, then it seems to me there ought to be some provision that all the powder for the Navy should be manufactured in the Government factories.

Mr. FOSS. The Navy Department, I think, are under the opinion that it costs about as much to manufacture as it does to buy it of a private concern, when you come to take into consideration the expense of the plant and the appropriations that are made for it.

Mr. HITCHCOCK. I understood the gentleman to say there was 33 per cent difference between the cost in favor of Government-made powder.

Mr. FOSS. That is simply for labor, and that does not take into consideration the cost of the plant or interest—

Mr. HITCHCOCK. But taking into consideration the interest on the plant, what would the showing be?

Mr. FOSS. The showing would be practically the same.

Mr. HITCHCOCK. Has the gentleman any figures?

Mr. FOSS. The joint Army and Navy board—I will refer the gentleman to the report—

Mr. HITCHCOCK. Well, can the gentleman state how much is invested in the Government plant for the manufacture of powder?

Mr. FOSS. I can not state the full amount without looking it up.

Mr. HITCHCOCK. It seems to me that where there is such an astonishing difference in the price paid and the cost of the manufacture, Mr. Chairman, in favor of Government manufacture that some figures should be presented to the committee—some information given. There is a very large margin of difference, 33 per cent, in favor of Government manufacture.

Mr. SLAYDEN. Mr. Chairman, I want to say—

Mr. FOSS. Right in this connection, if the gentleman from Texas will excuse me, I want to read—

The CHAIRMAN. Does the gentleman from Texas yield?

Mr. SLAYDEN. I yield to the gentleman from Illinois.

Mr. FOSS. If the gentleman will proceed, I will recur to this later on.

Mr. SLAYDEN. Mr. Chairman, I want to say to the gentleman from Nebraska that the question of the manufacture of powder for the Army by the Government was gone into very carefully, both before and during the session at which we established a Government powder factory. It was considered by the committee, and the House coincided in that view, that we should have a factory, not with the idea of manufacturing all the powder that the Government might require, because that would take too much of an investment, but simply to determine justly and intelligently as to prices. It was not thought desirable by the committee to do anything that would have a tendency to put the private manufacturers of powder out of business. It is conceivable that the country might be confronted by a situation when it would be necessary for the protection of the country that we should have private manufacturers on whom to draw for additional and for surplus supplies. For that reason, after having carefully considered the matter, the committee decided that they would not authorize or recommend the authorization of a plant so extensive as to manufacture all the powder required by the Government for actual current use and for the accumulation of a surplus. The difference in price between that manufactured by the Government and that the private manufacturers charge the Government is not as great as appears upon the surface. The cost of administration figures in that manufactured by private plants. The administration of the Government plant is not figured on in estimating the cost of the product as it must be in private establishments.



Mr. HITCHCOCK. Mr. Chairman, the gentleman from Texas seems familiar with this subject, and I would like to ask him what amount of money the Government has invested in the plant?

Mr. SLAYDEN. My recollection is \$300,000, Mr. Chairman. Mr. HITCHCOCK. Then, if the Government by an investment of only \$300,000 in a very small plant is able to compete with this giant powder trust, which is manufacturing on a large scale, and in competition with which the Government is able to manufacture its powder 33 per cent less than the price it pays upon the open market, it seems to me it is about time either that the Government reduce the price that it is paying for powder or that it manufacture all that it requires. That is a self-evident proposition.

Mr. SLAYDEN. I will say to my friend I am not familiar with the current market quotations of powder, but there was a reduction at the time of the establishment of the Government plant; but the plant of the Government is not so small as the gentleman seems to think. Fortunately the Government owned a very large and an entirely suitable piece of property up in Pennsylvania, a property of great value, a property possessing peculiar and attractive topographical and physical qualities for the establishment of such a plant.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word. I wish to say to the gentleman from Nebraska [Mr. HITCHCOCK], if I can have his attention, that the Government, on the recommendation of Secretary Long, about the time of the Spanish war, established an experimental Government smokeless-powder manufactory down here somewhere—

Mr. SLAYDEN. At Indianhead.

Mr. GAINES of Tennessee. At Indianhead. I think Congress put \$10,000 in the experiment, and the reason why that distinguished and very able Secretary, Mr. Long, recommended this improvement was to get the Government of the United States out of the jaws of this powder trust, to get a better quality of powder, and get more powder than the Government was able to get without this Government plant. I recall that about this time an Army officer at one of our posts informed me that some of the powder we were being sold was "rotten," would not carry to the target, and that it was just as liable to shoot into the ground as elsewhere, and so forth. The RECORD will show what I said when I had this advice fresh in mind.

And I remember, Mr. Chairman, standing right within 10 feet of where I am now standing, I was first, or among the first, to challenge that report to the consideration of Congress, and if you will refer to the RECORD along about that time you will see what I then said, urging the building of this factory. During such time as I could possibly devote to the matter, I have tried to investigate this question, and I had a letter on the subject from Secretary Metcalf in my hand less than twenty minutes ago to bring it here to-day, but came off and left it in my office, having picked up the wrong paper in my hurry to the House. I am going to ask to put the letters that I have from the Secretary of the Navy and this naval board to which the gentleman alludes in the RECORD. My recollection is, and, of course, if I am incorrect this table will correct me, that the time Secretary Long made that recommendation, say 1897 or 1898, about the time the American Congress said, "We will start our own manufactory," we were paying about \$1 a pound for powder. And the gentleman now says, and the fact is, as I remember it, we are paying about 67 cents. So that, notwithstanding our great country is in the jaws of this smokeless-powder monopoly, we have reduced it with this little infant Government factory from the oppressive rate of about \$1 down to about 67 cents.

Mr. Chairman, I am going to ask the chairman who reports this bill from whom we now buy the 66½ per cent of powder we do not make? What concern or concerns?

Mr. FOSS. The Dupont.

Mr. GAINES of Tennessee. Is not the Dupont concern to-day enjoined by the Federal courts of Delaware and New Jersey under the charge that it is a monopoly engaged in restraint of Federal commerce? Of course, that is true, Mr. Chairman, and only Saturday I read in the paper that the Department of Justice, that has charge of the suit, whether rightfully or wrongfully filed, has asked for four, instead of one, Federal judge to sit in that case—Judge Gray, Judge Dallas, who tried on the circuit the sugar trust case, Judge Buffington, and another judge's name I do not recall.

Now, gentlemen, we have reduced the cost of powder from \$1, about the price that was maintained during the Spanish

war, down to 67 cents, with an investment, I believe, as the gentleman says, of about \$300,000 in a Government powder factory. And yet, on the other hand, we are buying the balance of our powder from whom? We are obliged to buy two-thirds of the powder from a monopoly that the great Government is to-day seeking to chain up and make obey the law and stop holding up the Federal Government with its monopolistic vices. It is a most pitiable and awful condition, Mr. Chairman, that the Government is in, even in time of peace, and yet when the Spanish war broke out we were in a worse condition, because then we had no powder factory and were paying about \$1 a pound in order to get powder to carry on the Spanish war.

Mr. Chairman, I do not know whether or not the Dupont concern is an unlawful monopoly. My honest opinion is that it is a monopoly engaged in restraint of Federal commerce. That is my honest judgment. When the great Supreme Court of this country says it is not, Mr. Chairman, then, of course, I will submit to the judgment of that great tribunal, but until then I will stand here, as I have for twelve years, charging what I honestly believe, namely, that it is a monopoly engaged not only in the restraint of trade, but by its monopolistic prices restraining the military and naval arms of this Government in their great warfare to set up the Stars and Stripes in fair Cuba and drive the enemy from American borders.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent to place the tables to which I have referred, from Secretary Metcalf, in the RECORD for the information of Congress.

The letters referred to by Mr. GAINES of Tennessee read as follows:

NAVY DEPARTMENT,  
Washington, February 7, 1908.

SIR: Referring to your letter of January 31, 1908, requesting certain information regarding the cost of powder purchased from private firms, etc.

1. From 1893 until 1899, during which years practically all the brown powder ever supplied the Navy was obtained, 5,953,118 pounds of brown powder were purchased from private manufacturers, which firms were either a part of the Dupont Powder Company, or, probably, had working agreements with this firm. The price of this powder fluctuated slightly, but the average price throughout these years was 32 cents per pound. The Government manufactured during these years no brown powder whatever.

2. In December, 1898, all outstanding orders for brown powder were canceled, and since then only smokeless powder has been manufactured for cannon. The amounts purchased are as follows:

1897.	300,000 pounds, at \$1 per pound.
1898.	2,543,500 pounds, at 80 cents per pound.
1899.	350,000 pounds, at 80 cents per pound.
1900.	695,000 pounds, at 80 cents per pound.
1901.	1,401,000 pounds, at 74 cents per pound.
1902.	1,551,000 pounds, at 74 cents per pound.
1903.	2,268,000 pounds, at 74 cents per pound.
1904.	4,642,710 pounds, at 74 cents per pound.
1905.	4,492,000 pounds, at 74 cents per pound.
1906.	2,025,000 pounds, at 69 cents to 74 cents per pound.
1907.	2,375,000 pounds, at 67 cents to 69 cents per pound.

The above is obtained from the requisitions made in the Bureau of Ordnance during the calendar years given.

3. Up to date about 6,500,000 pounds of smokeless powder have been manufactured at the Government powder factory at Indian Head, Md. The accompanying correspondence gives in detail the cost of this powder during the latter years. Necessarily, the cost was much higher in the early stages of manufacture.

4. The price paid for the first 200,000 pounds of smokeless powder, purchased in June, 1897, was \$1 per pound, plus the alcohol. In October, 1897, at the instance of the Department, this price was reduced to 80 cents per pound, which price continued until the beginning of the year 1901, when it was again reduced to 70 cents per pound, plus the alcohol. This reduction was made in view of estimates as to the cost of manufacture at the Government Powder Factory. This price of 70 cents per pound, alcohol furnished by the Government, which meant an actual cost of about 74 cents per pound, held until the joint Army and Navy board on smokeless powder, convened by the Secretaries of War and of the Navy in September, 1906, recommended the price of 69 cents per pound, manufacturers to furnish their own alcohol. For powder purchased by the Army and Navy in excess of 4,000,000 pounds a year the price was to have been 65 cents per pound. In October, 1907, acting upon the recommendation of the joint Army and Navy board on smokeless powder, the Secretaries of War and of the Navy again reduced the price to 67 cents per pound. The manufacturers now claim that this reduction is excessive, and it is not likely that it can be further reduced, at the present stage of manufacture, without undue fairness to the powder companies.

5. There are being forwarded copies of certain correspondence upon this subject, which it is requested be returned to the Navy Department, Bureau of Ordnance, when you have no further use for them. Also, information can be obtained on pages 255 and 256 of the "Hearings" before the House Committee on Naval Appropriations of 1907; on pages 41 to 43, and page 81 (Appendix C) "Hearings" of 1908; and in the "Hearings" of 1909. Mr. J. A. Haskell, vice-president of the Dupont Powder Companies, was before the Subcommittee of the House Committee on Appropriations on January 24, 1907, and his testimony can be found in the "Hearings" for that date.

6. Referring to the second paragraph: The establishment of the Government Powder Factory was recommended by the Department in its Annual Report of 1898, and an appropriation for its establishment was made the same year. Since it has been completed it has run to the full extent of its capacity, working twenty-four hours a day, and has produced about 6,500,000 pounds of powder. In addition to this work the laboratory, which forms a part of the factory, has conducted

all stability tests and chemical examinations of the samples selected from the lots of private manufacturers in the natural course of inspections.

7. Referring to the last paragraph of your letter: Congress passed, in the latter part of February, 1907, Public Resolution No. 15, directing the Secretary of Commerce and Labor to investigate and report to Congress concerning existing patents granted to officers and employees in certain cases. Full details of the information required under this resolution have been compiled and forwarded to the Department of Commerce and Labor. It is understood, however, that it has not yet been published, or at least not issued.

Respectfully,

V. H. METCALF, Secretary.

Hon. JOHN W. GAINES,  
House of Representatives, Washington, D. C.

WILMINGTON, DEL., August 27, 1906.

AUSTIN M. KNIGHT, Commander, U. S. Navy,  
President Joint Army and Navy Board on  
Smokeless Powder Specifications, Washington, D. C.

DEAR SIR: Complying with your request that we give you our reasons for opposing any reduction in the price now paid by the Government for smokeless powder, we submit the following discussion:

In opening this discussion we desire to say that, in our judgment, the price paid for the powder is far less important than its quality, and that at the present time, with the processes of manufacture and even the composition of the powder in a more or less experimental and uncertain condition, an effort to reduce the price is likely to be false economy. With the Army and Navy it should always be the aim to have the best possible powder regardless of the cost. The desire should be to give an adequate price and to expect a constant improvement in the article. In order to produce a superior article we must be allowed a reasonable and fair margin of profit so that we may be able to purchase the best materials, employ the best skilled labor, and be allowed to work and rework the material until the desired result is obtained. If we must stop short of that because of price, it is easy to determine what the natural result will be—either loss on our part or an inferior product. We have spared no expense in our efforts to improve our product, and we should receive an adequate compensation.

At the beginning, when the price was fixed at \$1 per pound, the manufacturers had little knowledge of the subject and their plants were not suited to economical production. Before experience had shown us how to make a profit, the Government reduced the price to 80 cents a pound, and again to 70 cents, while we were making powder at a loss or with no profit. It is only within the last three years that a profit has been made. It would be a great injustice to the companies who have continued under these circumstances to produce a good powder, and who have spared no expense to improve it, to insist now that we must submit to another reduction, under more rigid specifications, before we have recouped the losses sustained during the earlier periods.

We are to-day selling the Government a much better powder than we sell the general trade where we have active competition. We are paid by the Government for a superior powder to that used by the commercial trade only 70 cents per pound, while the trade is paying 80 to 85 cents.

The Government has a system of inspection that grows daily more rigid, to which inspection we do not object, but which tends to increase the cost of production. The bureaus have just adopted new specifications which are more exacting, and to which they have added new and untried tests, which will probably add to the number of rejections. These specifications undertake to control each step of the processes to be used, to specify raw materials, number of washings, their duration, etc., and in the end we are still held responsible for the results.

In arriving at the cost of powder manufactured by the Government its experts lose sight of many items of expense which the Government pays through other channels, as salaries of officers, technical men, bookkeepers, clerks, traveling expenses, etc. The Government charges some of these items to other accounts and overlooks them in estimating the cost of manufacture of powder. Upon examination of our books we find that the following result would be obtained by taking what we are informed is the cost of powder at Indianhead on the manufacture of 1,002,000 pounds:

We find that during the past year of our operations the ratio of rejections to the amount of powder manufactured and delivered to the Government was 5.23 per cent. If from the manufacture of powder at Indianhead there be deducted the same percentage for rejections, the result would be that instead of delivering 1,002,000 pounds of powder Indianhead would produce 949,000 pounds of acceptable powder and the cost per pound would be increased from 47.45 cents (their cost of powder manufactured exclusive of alcohol) to 49.98 cents, and their cost of 54.63 cents (including alcohol) would be increased to 57.63 cents. If to this there be added the amounts paid by our company which have not been taken into consideration by the Government in their estimate of cost—mill superintendence, 1.96 cents per pound of powder manufactured; administrative cost, 2.93 cents per pound of powder manufactured; taxes, 0.12 cent per pound of powder manufactured; interest on investment, 7.10 cents per pound of powder manufactured—then the total cost would be 62.20 cents, exclusive of alcohol, or 69.85, including alcohol. This showing clearly demonstrates the fact that the only profit that we could obtain in the manufacture of powder at 70 cents per pound (and alcohol furnished by us) would be brought about by a more economical expenditure of labor in factory operations, because it is beyond dispute that the Government is paying approximately the same prices for cotton, acids, and other raw materials as we are.

Progress in the manufacture of powder sometimes causes the abandonment of whole plants, as was the case when the change from brown prismatic to pyrocellulose powder was made. This company had, at large expense, equipped two plants for the Government's use during the Spanish war, which were utilized for a short time to manufacture the powder. Experience in that war taught our Government officials that they did not want to continue the use of brown prismatic powder. The change to smokeless powder was made, and the plants became useless. The Government is at the present time considering and making extensive experiments with a new powder, which if adopted for the service, will in a large measure destroy the value of all the present smokeless powder plants. When these facts are considered, it should be easy to perceive the injustice which would be done us by any reduction in the price now paid.

In considering the price of powder the board should keep in mind the amount of the contracts to be given. In our judgment the price might

well be on a sliding scale. If the plants are to run on a single-shift basis, then it naturally costs more to make the powder. If the Government should again be in position to give orders for a sufficient amount of powder to run the plants continuously, night and day, as in the past, it might then be a better time to bring up the question of a reduction in price; but consider the present circumstances.

During 1904 and 1905 the Government gave us sufficient orders to warrant operating our plants night and day. In order that we might be in a position to do this, a very large expenditure of money was necessary in increasing our power plants, building additional powder dry houses, magazines, and providing costly machinery. We were, furthermore, led to hope that even larger orders for powder were in prospect, because the necessity was recognized for a large surplus of powder to be on hand in case of emergency. At this same time a Joint Army and Navy board, appointed for the purpose, conferred with us in regard to our ability to make a large extension of our plants so as to be ready for emergency in case of war. While we were engaged in making the plans called for by this board we were informed that our output would have to be reduced at once to less than 40 per cent of what we were making on the double-shift basis. We have been operating for the last eight months on this limited output at greatly increased expense, and the costly extensions to our plants are rendered unnecessary and useless.

We would further call the board's attention to the fact that the policy of this company has always been, regardless of expense, to improve the powder by adopting every suggestion made by the Government. For instance, in the Government's efforts to standardize the process of manufacture of powder we have been called upon, at large expense, to change our plants to insure a uniform process of manufacture. In this connection we have recognized the great importance of pure water in the manufacture of powder, and although the water supplies of two different plants had been used for upward of five years with satisfactory results, we realized that improvements in the product would result from corresponding improvements in the water supply, and we have recently engaged, of our own volition, to expend several hundred thousand dollars in order to obtain additional and better supplies of water. This expenditure will result in an improvement in the powder and a corresponding benefit to the Government.

A very important item in the cost is the rejection of powder by the Government. It may be argued that we should not produce a powder that would not meet the requirements. The art of powder making has not yet reached the point where rejections are not to be expected. Furthermore, add to this the fact that the Government is constantly changing the specifications, insisting upon making additional tests, some of which are purely empirical in their nature, so that their influence and result can not be foreseen. The chances of rejection are thus vastly increased, and should be a large item in the fixing of the price of powder.

The manufacture of powder is a hazardous business, far beyond the conception of inexperienced men. The danger of fire and explosion, which may destroy valuable plants, is great, and greater still is the cost of life.

We may have touched on many things in this letter which you will consider irrelevant in fixing a just selling price for powder. We believe that all these factors have an important bearing on the subject, and each must be given its due weight.

To conclude our arguments, we may note—

First. The necessity of your having the very best powder which can be made. Your ships and your men demand it. This can not be had if you put the price too low.

Second. The painstaking and careful attention which we have given to the improvement of the powder, the money which we have risked in our experiments to develop it, and the capital which we are risking to-day in our efforts to produce for you a new and better powder are all worthy of compensation, and the Government should consider its own interests by encouraging us.

Third. During the experimental stage of the manufacture of smokeless powder, which continued until the last three years, we realized little or no profit. It is discouraging to think that such a condition may continue. Progress in the production of powder is the most expensive item to be considered, for it means constant expenditure of money, which rarely develops value, and when it does produce something the result means entire abandonment of old methods. To illustrate, you are to-day experimenting with a powder which has already cost us several hundred thousand dollars. If the experiment is a failure, the money invested is lost. On the other hand, if it succeeds, our present plants are, in a large measure, rendered valueless. We recognize the importance and value of the initial steps taken by the Government in developing the present powder, and the work done in the Government laboratories. It is a fact, however, that the manufacture would not have reached the present standard had it not been for the very large expenditure of money made by us in experiments and in designing and perfecting the necessary machinery. We have freely given to the Government the benefit of these experiences for use at its own plants. We are not desirous of taking to ourselves an undue credit for this development, but we believe that the bureaus will agree with us that the art of manufacture would not have reached the present improved condition had we not undertaken the work, for the reason that Congress has always failed to appropriate sufficient funds to enable the Indianhead plant to do it.

Fourth. We are selling to the Government to-day a better powder, made under rigid inspection and subject to rejection, for a less price than we are paid by the commercial trade, which takes powder made without specifications or inspection, and in which we have constant, wide-awake, active competition. This in itself is sufficient proof that the Government is buying its powder at a fair and just price.

Fifth. The Government, by its own experience at Indianhead, is well aware of the cost of making powder. If to this cost there be added a fair margin to correspond to the items which we have enumerated and to the losses which we must allow for, we feel sure that it will be shown that the present price is not unreasonable, but is a just and fair price, made necessary by the expensive methods and requirements of manufacture and rigid inspection and tests to which the powder is subjected.

This company has a record for the past one hundred years of always holding its best intellect, its money, and its plants wholly at the service of the Government in all times of need and of treating the Government fairly and honestly in all its dealings, and we do not deem it necessary that we should give additional proof now of our willingness to do the same in the future.

Yours, very truly,

E. I. DUPONT COMPANY.  
By E. G. BUCKNER.



*Summary of expenditures for the production of powder for the past year at Indianhead, Md.*

Amount actually expended during the year.....	\$454,790.64
Machinery written off.....	13,829.10
To the last item we should add, in order to bring the item of "Machinery depreciation" up to 10 per cent, as was done last year.....	10,991.83
Fire losses, one-seventh of the total.....	6,952.46
Various items, including a share of office and laboratory force, watchmen, railroad, and other repairs not counted in to the cost of powder in invoicing it.....	13,812.66
5 per cent depreciation on buildings.....	31,180.65
<b>Total.....</b>	<b>531,557.34</b>
Dividing by 1,047,063, product for the year, the cost per pound is.....	.5077
Deduct the cost of alcohol expended per pound.....	.0694
<b>Cost of the powder without alcohol per pound.....</b>	<b>.4383</b>

In comparing this with the cost during the past fiscal year, which was 47.7 cents, we find that it has been cheapened 3.6 cents; this is accounted for to the extent of 2.4 cents per pound by the fact that the cost of cotton per pound of powder in 1905-6 was 7.21 cents, and in 1906-7, 4.82 cents, the reduction being due to the use of the cheaper Tennessee fiber. The remaining 1.2 cents is accounted for in the fact that the fixed charges, amounting to some \$77,000, plus a considerable share of the labor, are not increased with the increased output.

2. The cotton account of last year included the use of 10,609 pounds of cotton from the torpedo station at .0885 cents per pound; 171,900 pounds of Salomon at .0925, and 610,977 pounds of Tennessee at .055, making an average price of .06356 per pound. The present price of Tennessee fiber is .055, and we are using this material to the exclusion of all others. On a yield of 1.37 the cost of powder will be still lower this year by six-tenths of 1 cent per pound. This lowers the cost of manufacture a trifle over 3 cents per pound on account of cotton alone from the schedule of cost upon which the present price of powder was based last year.

3. The expenditure for alcohol per pound of powder amounted to about 3.5 cents, making the total cost 47.33 cents.

4. We find that we have invested here in plant, powder in dry houses, raw material, repair parts in store, etc., nearly \$1,500,000. The interest on this and a suitable working cash capital, plus taxes and salaries of administrative officers, would easily add about 10 cents per pound.

*NAVAL PROVING GROUND,  
Indianhead, Md., August 2, 1906.*

SIR: By direction of the Bureau of Ordnance:

1. I have to submit the following estimate of the probable cost of smokeless powder at private works:

2. The cost of manufacturing 1,000,000 pounds of powder at the Indianhead works during the fiscal year recently closed has been 47.4 cents per pound, exclusive of alcohol. Every item due to its manufacture is included in this cost. All raw materials, chemicals, laboratory expenses, heat, light, power, care of grounds, buildings, etc., have been reckoned; also a charge for loss by fire based upon the mean fire loss for the last six years.

3. Included in this is an allowance of 5 per cent for a depreciation on buildings and improvements. Another allowance of 10 per cent depreciation on the machinery of the entire plant is also included.

4. In comparing the cost of powder at this plant with private manufacturers, it would be fair to assume generally that private purchasers obtain their material at least 10 per cent less than the Government does. It has been hinted to me that the Tennessee Fiber Company sells its material to private manufacturers at 4½ cents per pound; we pay 5½ cents per pound. A paper manufacturer told me several years ago, when we were paying 6 cents, he was paying considerably less for this cotton. The same thing is probably true of acid. But on known data the following amounts should be subtracted from the cost at this place:

Labor, 28.5 per cent of \$105,000..... \$29,925

We grant 26.5 holidays more than private firms, and we work only eight hours to their ten, or perhaps eleven. But taking ten hours as their day, with the holidays, they save 28.5 per cent on labor.

Depreciation on buildings and improvements, 5 per cent per annum..... 14,760

Deducting this from..... 44,685

Leaves..... 429,315

Or, say, 42.9 cents per pound to the private manufacturer.

5. The total rejections of powder amount to 1.7 per cent during the history of its manufacture. These rejections have not affected Indianhead, and should not other makers. However, adding 1.7 per cent to their cost we have a total of 43.6 cents. If the powder can be reworked or used for other purposes, this item should not be considered.

6. It may be urged that there is a business hazard attached to the manufacture of this material—that is, that we may be making a different powder some day that will render much or all of the plant useless. Such an argument should have no weight, since we have already been using this powder for seven years or more, and in the account of cost given above 10 per cent of the machinery is expended each year off the books, which would provide for a total elimination of the plant in ten years. Attention is called to the powder "Cordite," which, in spite of its manifest disadvantages, has continued in use some fifteen years without any immediate prospect of some other powder being substituted for it.

7. On the basis of 1,000,000 pounds of powder manufactured per annum, it will be seen that a price of 70 cents per pound yields a profit of \$264,000, and this considers every possible charge except the pay of the officers connected with the financial administration of the enterprise.

8. Judging from the cost of the Indianhead plant, the total investment will amount to about \$650,000. On this basis the stockholders should receive a dividend of over 40 per cent on the capital invested if the powder is sold at 70 cents. If it were sold at 55 cents per pound

this would yield 17.5 per cent profit on the capital invested, and in case the orders were cut down during any one year to one-half, the profit should still be satisfactory.

Respectfully,

JOS. STRAUSS,  
Lieutenant-Commander, United States Navy,  
Inspector of Ordnance in Charge.

Commander A. M. KNIGHT, United States Navy,  
President Joint Army and Navy Board  
on Smokeless Powder Specifications,  
Bureau of Ordnance, Navy Department,  
Washington, D. C.

The CHAIRMAN. The gentleman from Tennessee [Mr. GAINES] asks unanimous consent to extend his remarks in the RECORD by inserting the tables to which he has referred. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I move to strike out the necessary number of words in order to gain recognition to seek some information from the chairman of the committee. I notice in the pending paragraph—

Mr. FOSS. Before the gentleman asks that question, will the gentleman yield me a little time?

Mr. STAFFORD. Certainly.

Mr. FOSS. I want to state to the gentleman from Nebraska [Mr. HITCHCOCK] that we have expended about \$800,000 on the powder factory down here at Indianhead, and when Admiral Mason was before the committee we asked him about the subject of the powder trust, so to speak, and he said:

I will be very glad to give the committee any information that I can. I am not prepared offhand to go into particulars, but all I can say is that we are not in the hands of a powder monopoly in any way. And I should say, to the contrary, that the powder people are in our hands, because we make the price, we prescribe the specifications, and we have inspectors and subinspectors to watch the processes and to make it just exactly as we say.

Mr. DAWSON asked:

Was there a joint Army and Navy board to consider this whole powder question?

Admiral MASON. Yes.

Mr. DAWSON. Where will their report be found?

Admiral MASON. I think it is a public document.

Mr. THOMAS asked Admiral Mason:

Is there a powder trust?

Admiral MASON. As far as the Navy Department is concerned, no; we have control over it.

Then Mr. ROBERTS asked:

I would like to ask if we are getting as good powder from the private manufacturers as from Indianhead?

Admiral MASON. Decidedly, yes.

Then Mr. MUDD asked:

Admiral, if they make powder just as good and just as cheaply, what is the particular reason for maintaining a Government establishment? Do you claim it tends to prevent monopoly?

Admiral MASON. By having the Government plant we have control of the situation. We know exactly how much that powder costs us, and when these people come in with exorbitant prices we say, "You can not get such prices, and if you do not come down within reason, we will go to Congress and ask them to give us a plant in which we can make all of the powder, although we do not like to do that, because we want to keep two or three outsiders going in case of accident to our plant."

Now, that is what Admiral Mason, Chief of the Bureau of Ordnance, stated in his hearing. The joint board of the Army and the Navy examined into this whole question as to the cost of making powder by the Government, and they fixed the price of powder paid to the Dupont Company, and they reduced it some 3 cents.

Mr. PADGETT. Reduced it from 74 cents to 67.

Mr. FOSS. They have reduced it, extending over several years, considerably more than that; but during the last year they have reduced it 3 cents a pound.

Mr. HITCHCOCK. The present price is now fixed by this board?

Mr. FOSS. By the joint board.

Mr. HITCHCOCK. It fixes it at 67 cents?

Mr. FOSS. At 67 cents.

Mr. HITCHCOCK. Does the Government buy of any other company except the Dupont?

Mr. FOSS. I am not sure as to that.

Mr. HITCHCOCK. Will the gentleman state whether there is any other company ready to sell powder except the Dupont?

Mr. FOSS. I think there are other companies. I am informed that there are a number of other companies, but whether the Dupont Company gets all the orders or not I do not understand.

Mr. HITCHCOCK. Will the gentleman, with the help of his committee, kindly say what the records show as to the cost of manufacturing this Government powder?

Mr. PADGETT. I have it here; it is 47½ cents.

Mr. HITCHCOCK. Is the cost stated in the report?

Mr. PADGETT. I have it here. The price fixed by the joint Army and Navy board is 67 cents, the cost to the Government of manufacturing the powder at Indianhead is 47½ cents. That is stated on page 123 of the hearings. Admiral Mason says, speaking of this 47½ cents:

We do not charge for the deterioration of the plant. The price of 67 cents is made up by counting the deterioration of the plant, the interest on the value of the plant, and also allowing a certain amount for superintendence.

That is included in the cost.

Mr. HITCHCOCK. That is in the 67 cents which we pay?

Mr. PADGETT. It is not included in the cost of 47½ cents.

Mr. HITCHCOCK. Can the gentleman state how the 47½ cents is made up?

Mr. PADGETT. That represents the cost of manufacture, including all things except interest on the outlay for the purchase and maintenance of the plant, the salary of Government officials who superintend the manufacture in the plant, and for deterioration of plant.

Mr. HITCHCOCK. Can the gentleman tell now what is the capacity of the Government plant?

Mr. PADGETT. I do not know; maybe 2,000,000 pounds a year.

Mr. HITCHCOCK. How much do we manufacture?

Mr. PADGETT. About 1,200,000 pounds a year.

Mr. HITCHCOCK. I understood the chairman of the committee to state that the manufacture was something over 1,000,000 pounds.

Mr. PADGETT. It is stated here by Admiral Mason at 1,047,063 pounds.

Mr. HITCHCOCK. There is nothing to show what is the capacity.

Mr. PADGETT. Here is a question asked by Mr. LOUDENSLAGER:

How much did you manufacture last year at the proving grounds?

Admiral Mason. I have not the exact figures, although I will put them in, but I should say about a million two hundred thousand pounds. The exact figures are 1,047,063 pounds.

The CHAIRMAN. Also include in your answer the amount that you purchased.

Admiral Mason. About 2,000,000 pounds.

Mr. HITCHCOCK. Another point I wish to ask as to this 2,000,000 pounds—

Mr. STAFFORD. Mr. Chairman, these gentlemen have occupied my time; I ask unanimous consent now to proceed for five minutes.

Mr. WILLIAMS. That request is absolutely unnecessary, but if it is considered necessary to make it, I shall be compelled to object.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes. Is there objection?

Mr. WILLIAMS. I object. Now move to strike out the last word.

Mr. STAFFORD. My last motion was to strike out as many words as were necessary to gain recognition. Now I renew that motion to strike out as many words as will be necessary to gain further recognition.

The CHAIRMAN. The gentleman moves to strike out the paragraph.

Mr. STAFFORD. The purpose, Mr. Chairman, of rising is to ascertain from the chairman of the committee whether at the Government plant we manufacture any specially prepared powder which is not advertised for and manufactured by private establishments?

Mr. FOSS. All this powder is specially prepared, specially manufactured powder, and in dealing with these private concerns the Government lays down its own specifications and says how it shall be manufactured.

Mr. STAFFORD. The point of my inquiry is directed to the fact as to whether the Government provides a character of powder not manufactured and supplied by private establishments?

Mr. FOSS. The Government manufactures smokeless powder.

Mr. YOUNG. For experimental purposes also.

Mr. STAFFORD. Is that smokeless powder manufactured by private establishments?

Mr. FOSS. Yes.

Mr. STAFFORD. And it is covered in the specifications?

Mr. FOSS. Yes; also black powder, brown powder, and several kinds of powder.

Mr. STAFFORD. So, as I understand, there is no powder containing special ingredients that is manufactured exclusively at the Government plant.

Mr. FOSS. No; I do not think there is.

Mr. STAFFORD. Now, I want to ask the chairman whether, as long as he has been chairman of the committee, any of the

officers before the committee have suggested that there was need of having the ingredients of the powder withheld from the public and from public advertisements because they should not be disclosed?

Mr. FOSS. No; I do not recall any.

Mr. STAFFORD. The reason of my inquiry was that in the Army appropriation bill that was introduced in the House a provision was carried leaving it to the discretion of the Department heads that when the character of the ordnance contained such ingredients that the interest of the public service would be injured by publicly divulging them, then the Chief of Ordnance would be authorized to purchase such articles in such manner as he might deem most economical and efficient. That provision was stricken out on a point of order, but has been reinserted in the Senate. My purpose is to ascertain from the chairman of the committee, as the same conditions must present themselves both to the Navy and to the Army, whether there was any such recommendation ever presented to the Naval Committee, asking that proposals be not always advertised, and leaving it to the discretion of the Department in some cases to purchase the article in such manner as they might deem most economical and efficient, without advertisement?

Mr. FOSS. The Department has never, to my knowledge, asked for any such provision.

Mr. YOUNG. If the gentleman will permit me a moment—

Mr. STAFFORD. I shall be glad to.

Mr. YOUNG. I do not know what is done in the Navy, but I do know that in the Army plant the Government is constantly experimenting with new ingredients.

Mr. FOSS. Oh, that is true in the Navy also.

Mr. STAFFORD. The gentleman who has just made that suggestion is a very efficient member of the Committee on Military Affairs, and he is well acquainted with the paragraph which was recommended to the House in the Army appropriation bill, and I wish to ask him why it was necessary to make that exception, so as to vest in the Department heads the right to purchase without proposal or public advertisement?

Mr. YOUNG. That is meant to apply—

Mr. STAFFORD (continuing). The same condition would apply as well to the Navy, I believe the gentleman will admit, as to the Army.

Mr. YOUNG. It would if they are doing the same kind of work, about which I am not informed. I know of specific instances where the Government has believed that certain foreign nations were trying to place spies in the Government works to learn the ingredients that they were using in certain experiments. When the Government went into the public market and bought those ingredients by advertisement, while a foreign agent would not know the exact proportions of the mixture, he would know the ingredients which were being used and would be given a cue to ascertain exactly what the compound was, and it was to meet conditions of that kind that the Chief of Ordnance desired this provision placed in the bill, and, I think, very wisely.

Mr. STAFFORD. The gentleman will agree that the same condition is present in the Navy as in the Army.

Mr. YOUNG. I will not agree to that, because I do not know whether the Navy is carrying on the same kind of experiments that are being carried on under General Crozier's supervision or not.

Mr. STAFFORD. They should be carrying them on.

Mr. YOUNG. I think they should.

Mr. WILSON of Pennsylvania. Mr. Chairman, I move to strike out the last four words. If I understand the statements that have been made here, we have a powder-manufacturing plant that cost us about \$300,000; that we manufacture a million pounds of powder there annually; that we require 2,000,000 pounds additional, which we go into the market and purchase; that the 1,000,000 pounds which we manufacture costs us a fraction over 47 cents a pound, while that which we purchase costs 67 cents per pound.

That is a saving on that which we manufacture in our own plant of approximately 20 cents a pound, or \$200,000 that we save on the million pounds that we manufacture. Two hundred thousand dollars, it occurs to me, will pay for considerable management, considerable administration, besides paying the interest on the investment of \$300,000. But we use 3,000,000 pounds, and if we utilize our plant in the manufacture of 3,000,000 instead of 1,000,000 pounds, there would be a saving of something in the neighborhood of \$600,000.

One of two things should be done by us. We should either compel the manufacturers of powder from whom we purchase the 2,000,000-pound supply to furnish it at a lower rate than they are now furnishing it, or we should provide equipment for



our own plant sufficient for us to manufacture the entire amount we need. Six hundred thousand dollars is an enormous amount of money to pay over and above what we should pay for powder for our Navy.

Mr. FOSS. Now, Mr. Chairman, I ask that the Clerk may read.

Mr. GAINES of Tennessee. I want to ask the gentleman if this smokeless powder is all the powder we use?

Mr. FOSS. Yes.

Mr. GAINES of Tennessee. Do we not use the brown powder?

Mr. FOSS. We do not use the brown powder or the black powder any more.

The CHAIRMAN. Debate on this paragraph is exhausted, and the Clerk will read.

The Clerk read as follows:

Purchase and manufacture of smokeless powder, \$650,000.

Mr. HITCHCOCK. Mr. Chairman, I offer the following amendment to this section.

The Clerk read as follows:

On line 25, after the word "dollars," insert as follows:

"Provided, That no part of this money shall be used in the payment for powder at a price to exceed 50 cents per pound."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. HITCHCOCK. I do not know whether the Chairman cares to hear me on the point of order, but it seems to me plain that this is a limitation on the appropriation, and it has been so ruled many times.

Mr. KEIFER. I would like to ask the gentleman from Nebraska how he knows that this is a limitation on the appropriation?

Mr. HITCHCOCK. It is a limitation on the use of the appropriation.

Mr. MADDEN. Does the gentleman think it would be fair to say that no part of this money can be used unless the powder can be purchased at a price fixed in the amendment, when as a matter of fact no one here knows what the powder can be manufactured for? The mere fact that the Committee on Naval Affairs states what the cost of powder is in the Government plant does not furnish any criterion.

Mr. HITCHCOCK. I will answer the gentleman's question. I do not know what it costs, but I have been endeavoring to find out. The printed hearings show that in a plant comparatively new and small we are now manufacturing powder at a cost of 47½ cents per pound, and we are running that plant only to a fraction of its capacity.

Mr. MADDEN. Will the gentleman state what the cost consists of?

Mr. HITCHCOCK. I am not in possession of the material facts to state that.

Mr. STAFFORD. The gentleman from Nebraska will recognize the fact that the Government's plant has not capacity enough to manufacture all the powder necessary for the naval needs, and if this price was less than what it costs to manufacture, he would be hampering the entire naval service. He is taking upon himself the full responsibility without having the data, and he admits that he has not the data to determine the actual cost. I insist, Mr. Chairman, on the point of order.

The CHAIRMAN. The Chair thinks that this is a limitation on the appropriation, under the rulings heretofore made. The Chair therefore overrules the point of order.

Mr. HITCHCOCK. Mr. Chairman, it is true that we have not before us a careful analysis of the cost of manufacturing powder, but such evidence as we have proves that when the Government plant was established it resulted in an immediate reduction of the cost which the Government was paying for powder in the market, until now the cost has been reduced to 67 cents per pound. It also shows that, counting all the items that Government officials feel that they should count, the cost to the Government of manufacturing powder at the Government factory is only 47½ cents per pound. It is fair to assume that this Government powder factory is not operating at its total capacity. It has been stated that the capacity was something like 2,000,000 pounds, and it is only operated to produce 1,000,000 pounds per year at the present time.

Now, we have got the factory; there is no additional charge to be made for interest on the investment, no additional charge to be made for depreciation or for superintendence. We have nothing to lose, and it is fair to say that if the Government notifies the powder trust—and I assume that there is a trust, because it is not denied that there is one—when the Government says to that trust that it will not pay more than 50 cents a pound, I believe the powder trust will sell to the Government at that price.

But if the powder trust declines to sell powder to the Government at that price, the Government still has two factories in which it can manufacture its powder—one a factory costing \$300,000, manufacturing powder for the use of the Army, the other a factory costing \$800,000, already manufacturing a million pounds a year, for the Navy. I think there will be no way of reducing the cost of the powder to the lowest reasonable and possible figure except when the Government takes affirmative and positive action to bring it about. We can not expect the powder trust voluntarily to make a reduction, and unless the gentlemen can bring in here from the large fund of information that ought to be at their disposal some evidence that the cost of powder is in excess of 47½ cents, this Government has no right to pay over 50 cents a pound for the powder it buys.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized in opposition to the amendment.

Mr. MADDEN. I think it would be very unwise to adopt an amendment such as that which is proposed. I think everyone will agree that we should buy powder at the lowest possible price. I think we ought to be able to get the information upon which to ascertain what it does cost the Government to manufacture powder. That we have no such information I think nobody will deny. The proper way to ascertain what it costs to make the powder is to get the details of money spent in the construction of the plant, in its operation, in the purchase of material, and in every other detail of the work connected with the manufacture of powder. There is no other way to ascertain this, and it is unfair to state that it costs 47 cents a pound to manufacture powder, if we only include in that the cost of materials purchased and the labor paid, but without relation to the payment of the fixed force of men who are in the management of this powder factory.

Mr. YOUNG. I would like to ask my friend if it is not a fact, in determining the labor cost, that the cost for the one month's time when the men employed in the manufacture of this powder are given a leave of absence is not charged up to the cost of the powder.

Mr. MADDEN. I do not know just exactly what is charged, but I do know that nobody else here seems to know.

Mr. YOUNG. I have been informed that that was the fact by naval authorities.

Mr. MADDEN. But, whatever is charged, it produces the result which shows that 47 cents per pound is what it costs.

Mr. HITCHCOCK. Will the gentleman permit me to read a paragraph in line with what he says?

Mr. MADDEN. Yes.

Mr. HITCHCOCK. Here is the reply of Admiral Mason in the hearings before the committee:

We did not purchase any out of this appropriation. It cost the Government really about 46 or 48 cents a pound or something like that, but, of course, we did not charge in any expenses; that is, my salary or the salary of the commanding officer on the proving ground, or that of the chemist, and so forth, as they are all paid by the Government outside, whereas the smokeless powder companies have to pay for superintendents, and so forth. The additional expenses to companies are insurance, interest on investment, rejection, losses, taxes on property.

Now, the gentleman from Illinois can see that those are very small items compared to hundreds of thousands of dollars that would be paid.

Mr. MADDEN. I realize that, but I believe we ought to be sufficiently just not to undertake to fix the price until we know what it costs. In dealing with the proposition we should deal with it fairly, and after we have secured all the information that is obtainable upon which we can base a fair judgment. I have no use for the powder trust; I believe it ought to be abolished if it can be. I believe that the Government of the United States ought to buy its powder at the least price at which it can be bought, but I believe that in dealing with a business question we ought to first ascertain all the facts. To ascertain the facts send for the men who know the facts, invite them to tell you about what it costs in every detail, and then when we have secured this information we are in a position to say what we ought to pay.

Mr. ELLIS of Missouri. Will the gentleman yield to a question?

Mr. MADDEN. Yes.

Mr. ELLIS of Missouri. How does the gentleman construe this statement of Admiral Mason that it costs the Government really about 46 to 48 cents per pound?

Mr. MADDEN. I construe it to mean that it just includes the cost of the material which enters into the product and the common labor, it does not take into account the men who are on annual salaries, it does not take into account investments the Government has made, it does not take into account anything except the actual work of making the material from day to day.

The CHAIRMAN. The time of the gentleman has expired.  
Mr. FOSS. Mr. Chairman, I wish to say just a word upon that question. The gentleman from Nebraska ought to have read a little further along in the hearing of Admiral Mason, and he would have found these words. Mr. THOMAS says:

You give the price as 67 cents when you have to buy it, while you say you manufacture it for 45 or 46 cents.  
Admiral MASON. We do not charge for the deterioration of the plant. The price of 67 cents is made up by counting the deterioration of the plant, the interest on the value of the plant, and also allowing a certain amount for superintendence.

Mr. SHERLEY. Mr. Chairman, right at that point, if the gentleman will yield—

Mr. FOSS. Just one moment until I get through.

Mr. THOMAS. But really there would be no saving?

Admiral MASON. No saving at all.

Mr. SHERLEY. Now, if the gentleman will yield I would like to ask him this question. Does not the gentleman know that a plant at which powder is manufactured is of a very cheap, temporary character, due to the very great risk of the destruction of the plant in the manufacture of powder, and that the cost of the plant, if counted in, would not add to the cost of the powder hardly 1 cent, let alone 10 cents a pound, as suggested.

Mr. FOSS. How much does the gentleman think this powder plant cost?

Mr. SHERLEY. Well, that depends upon the capacity; but I state to the gentleman, as a proposition that must be within the knowledge of the chairman of this committee, if he has investigated the subject, that a plant in which powder is manufactured is of a very cheap character.

Mr. FOSS. The Government has expended \$800,000, at least, on this plant.

Mr. SHERLEY. I am not speaking of the Government plant. I am speaking of the character of powder plants, and the testimony to that effect that was given before the committee on fortifications, and while on my feet I want to ask the gentleman another question. The Government has been manufacturing powder now for some years. Does not the gentleman think it is high time we should get some accurate information on the subject as to what it costs, so we will not have annually the defense that was made by the gentleman from Illinois, that until we do know what it costs we should not put a limitation upon the extortions of the powder trust?

Mr. FOSS. Well, I will state to the gentleman that the joint board of the Army and Navy meets every year and makes investigation into the cost of the manufacture of powder and they fix the price of powder, and it is so stated here in the report during the last year, and as a result of the investigation and report and conclusion which the board came to they reduced the price of powder down to 67 cents.

Mr. GAINES of Tennessee. From where?

Mr. SHERLEY. I understand that is the fact, but I am simply asking the gentleman a question on this point. Ought not we to know what it is costing the Government to make powder, and will not that be the best evidence as to what we ought to pay private companies?

Mr. FOSS. Yes; and if the gentleman will take the trouble to look up and investigate these reports and look into the minutia, he can find out. There is no question; it is open to every Member of Congress who will take the time and trouble to do it.

Mr. SHERLEY. It should not be necessary for a Member of Congress to take either the time or the trouble. The Department ought to furnish to Congress a detailed statement showing what it costs and every item thereof.

Mr. FOSS. They will furnish it.

Mr. SHERLEY. The gentleman says they will. I would like to have it done, and then we will be able to deal with this subject, and not have the argument made by the gentleman from Illinois that because certain items had not been counted in we have no figures on which to proceed.

Mr. FOSS. Mr. Chairman, I move to close debate—

Mr. DRISCOLL. I would like to ask the gentleman whether the Government is able to make any more powder than it is now making?

Mr. FOSS. We make about one-third of all the powder we consume.

Mr. GAINES of Tennessee. How much?

Mr. FOSS. We make 1,047,000 pounds and we purchase 2,000,000 pounds, and the price at which we purchase is fixed by this board every year.

Mr. DRISCOLL. The question is, Has the Government reached the limit of its capacity or can it manufacture a larger amount than it is manufacturing?

Mr. FOSS. Not unless we enlarge the plant by the expenditure of several hundred thousand dollars upon it. Then, of course, it could manufacture all the powder, but the question is whether it is advisable for the Government to manufacture all the powder it may need. In time of war it is a mighty good thing to have some private concerns that can manufacture powder as well as the Government.

Mr. DRISCOLL. These private concerns would not go out of business if the Government were not buying powder from them right along, would they?

Mr. FOSS. They would go out of manufacturing the particular kind of powder asked for in Government specifications. Now, Mr. Chairman, I move to close debate on this subject.

Mr. CLARK of Missouri. I want to ask the gentleman a question before he does that.

The CHAIRMAN. Does the gentleman yield?

Mr. FOSS. I will.

Mr. CLARK of Missouri. Does the gentleman say that the buildings of the Government powder plant cost \$800,000?

Mr. FOSS. I did not say the buildings. I said the plant itself cost that, taking into consideration everything.

Mr. CLARK of Missouri. The buildings of a powder plant are the cheapest buildings on the face of the earth.

Mr. FOSS. I agree with the gentleman that they are, but I am speaking of the whole plant itself.

Mr. CLARK of Missouri. That may be different.

Mr. HITCHCOCK. How much real estate is there?

Mr. FOSS. I do not know.

Mr. HITCHCOCK. Can the gentleman tell approximately? Was it \$400,000?

Mr. FOSS. I think it was less than \$100,000.

Mr. MUDD. It was not over \$40,000 or \$50,000.

Mr. CLARK of Missouri. I will ask another question. Does not the gentleman think the Government ought to make all of its own powder?

Mr. FOSS. No; I do not think it ought to make all of it, but I think in the situation in which we are to-day, by which we can manufacture a third of it, in case the private manufacturers should become exorbitant in their charges, we are in a position where we could by appropriation increase the plant. I think, being in the position in which we are, we practically have got control of the situation by fixing the price that we pay these private manufacturers each year, and I do not think in the end it would be an economical measure for the Government to manufacture all its own powder.

Mr. HITCHCOCK. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois [Mr. Foss] yield to the gentleman from Nebraska [Mr. HITCHCOCK]?

Mr. FOSS. Yes.

Mr. HITCHCOCK. The gentleman's chief objection to fixing the limit of price of powder at 50 cents a pound seems to be that the Government of the United States might not be able to buy of private manufacturers in case of war. I would like to ask the gentleman this question: There is no danger of war during the coming year, and, in his opinion, would it be safe—

Mr. FOSS. War occurred on the other side yesterday. I am afraid we may have war—

Mr. HITCHCOCK. If the gentleman is afraid of war, would it not be advisable to establish a powder plant on a larger scale?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. Foss] has expired.

Mr. HITCHCOCK. I move that he have two minutes in which to answer this question.

Mr. FOSS. Then I move to close debate after that.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the gentleman from Illinois may proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HITCHCOCK. The only objection the gentleman states to fixing the limit at 50 cents a pound is that it might drive the trust powder factory out of business and leave the Government dependent in time of war upon its own resources. Now, in view of the fact that Congress successfully established the limit of the price of armor plate, and the armor concerns conceded that price, would not the gentleman be willing to take the chance for one year of establishing this price at 50 cents a pound, and then in case the Government was not able to buy it at that price in the open market, it could use its own plant for one year and manufacture its powder at 47½ cents a pound? Is there any objection to that experiment?

Mr. FOSS. I do not recall that the Government has ever fixed the price of armor.

Mr. HITCHCOCK. Oh, yes.



Mr. FOSS. The Congress of the United States? I know that we tried it here one year at \$300 a ton, and we did not get any armor.

Mr. HITCHCOCK. The United States Congress fixed the limit on the price of armor and it was accepted.

Mr. FOSS. I have not learned of that. It may be the fact.

Mr. HITCHCOCK. It was the fact.

Mr. CLARK of Missouri. Does not the gentleman know that when he and myself first came here the cost of armor was about \$450 a ton, and by various performances here in the House and in the Senate we beat it down nearly one-half?

Mr. FOSS. We beat it down by means of a provision which I drew up.

Mr. Chairman, I move to close debate.

The CHAIRMAN. The gentleman from Illinois [Mr. Foss] moves that the debate on the pending amendment be now closed.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. GAINES of Tennessee. Mr. Chairman, I call for a division.

The committee divided, and there were, ayes 44, noes 21.

Mr. GAINES of Tennessee. I make the point of order that there is no quorum present, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee makes the point of no quorum. The Chair will count. [After counting.] One hundred and sixteen present. The ayes are 44, the noes 21; the ayes have it, and the motion is carried.

Mr. GAINES of Tennessee. Does the Chair mean to state that there was a quorum present when I called for a quorum, and stated that there was no quorum present?

The CHAIRMAN. The Chair can only ascertain the presence of a quorum by counting. The Chair has counted and a quorum is present. The question is on agreeing to the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was rejected.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. HIGGINS having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. LATTI, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On April 11, 1908:

H. R. 4780. An act to authorize the Secretary of War to make certain disposition of obsolete Springfield rifles, caliber .45, bayonets, and bayonet scabbards for same; and

H. R. 18689. An act to authorize the Secretary of War to furnish two condemned brass or bronze cannon and cannon balls to the city of Winchester, Va.

On April 13, 1908:

H. R. 18754. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors.

#### NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Machine tools, navy-yard, Mare Island, Cal., \$50,000.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word. I regret that after ten years' fighting on this subject that the committee comes in here without the proper evidence or all the evidence that should be had on the proper price the Government should pay for powder. It is a very important matter, yet Members of this House, who are earnest and honest, who are absolutely just and want to do the right thing, are denied the information that they should have upon which to base their action here to-day by cutting off debate. I say seriously that I very much regret this action. What it costs the Government to make powder, with and without the salaries paid the Navy officers and members of the Navy who manage the making of this powder—we should have that information. Then we should have exactly what it costs the du Ponts and other private concerns to make this powder. They, of course, pay not only their labor, but their scientific men who furnish the brains to make this powder. How much longer are we to wait, in the name of heaven, before we get down to the rock bottom of this matter, that we may do equal and exact justice to the Government and to these private powder makers?

We have been talking about it, from my certain knowledge, for more than ten years, and we are still in the dark about it. To me it is the most interesting study, and I have, from time to time, read some on the subject, and I tried to do so early in this session, but I have not had the time, for many reasons, to

thoroughly investigate it; but we will get some information we can use in the future in the Record to-morrow from the letters that I shall publish.

It is a very interesting subject to consider as to whether or not the Government should make all or a part only of its powder, its armor plate, and other war machinery. I think we should, and I am satisfied it is the practice in foreign countries for the government to make at least a part of its munitions of war and to establish factories for that purpose and at the same time encourage a healthy life in private manufacturers, so that we may have both the public and the private concerns to compete with each other in time of peace and war and both concerns to draw on in time of war.

That is the way foreign countries manage, at least a number of them. The Government works its men eight hours a day, the private concerns from nine to ten and maybe more. If in working eight hours a day the Government can make powder at 40 cents, say, the private concern, working their hands longer hours, can certainly make more powder per day per hand than the Government. That is a point to consider, with the other fact that the Government's officers in charge of the powder factory, the members of the Navy, are paid a salary and would be paid a salary if they were not working at the Government factory. Their salary is not included, we are told here to-day, in estimating this cost, but in the private concerns of course everything is included from top to bottom. These matters ought to be considered and a fixed rule of calculation made by which Congress can act now and hereafter in an intelligent and just way, both to the Government and private concerns. The matter is too serious to be treated in an off-hand, callous way, in a kind of a hop-skip-and-a-jump way, in ten or fifteen minutes, as we have done to-day.

I think Congress, with the present lights before me, should enlarge this Government plant so that if the private concern should be destroyed or go over to the enemy for any reason, in time of war, we would have the Government plant on hand big enough to supply our wants. We need not run it at its full capacity in time of peace, but let us be able to do so when we please. It is useless to tell me that this powder trust is kept alive by making \$2,000,000 worth of powder per year for the Government, when we are well informed that it has a monopoly of the trade in powder and supplies the whole United States, with a small portion, perhaps, supplied by other concerns. If this powder trust is an unlawful monopoly, I want the Supreme Court of the United States to say so, and let it then be made to obey the law, just like any private individual. If it is not guilty, let the court say so. Give it a clean bill of health, and then we will be done discussing that question, a matter that has been before Congress for so many years. Let the law be enforced, and let the truth come out; let justice be done to it and the public; its officers can not ask more, they are entitled to no more.

I regret and I condemn the action of the committee in shutting off debate here on this great question while Members are clamoring for the facts, and I want to say to the gentleman who made the motion that, as long as I am in Congress, I want it distinctly understood that no such proceedings as that will deter me from doing my duty. It will take something more than powder to close my mouth on this great question [applause], or any other question, whether the powder comes from a leather-mouth gun or a brass-mouth cannon. Mr. Chairman, I am for the right thing, and when I seek for light that I may do justice to the Government that my oath demands, and to outsiders that my sense of justice prompts, the doors should not be slammed in our face in any such way. I have thus felt throughout my career in Congress, and shall continue to so feel and to thus speak whether I continue in Congress or not. This kind of procedure in this House is degrading it and justly so in the estimation of the people.

The Clerk read as follows:

For Naval Gun Factory, Washington, D. C.: New and improved machinery for existing shops, \$150,000.

Mr. CARY. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 13, insert after line 10:

"For an addition to the iron, brass, and steel foundry, the total cost not to exceed \$300,000, \$100,000."

Mr. FOSS. Mr. Chairman, I make the point of order against that. It is not germane to that section or to that paragraph. This provision is for a naval gun factory. That could properly come under the head of "Yards and docks," farther on in the bill.

Mr. TALBOTT. I understand that the chairman of the committee makes the point of order that it is not germane at this point.

Mr. PERKINS. I make the point of order that it is new legislation.

Mr. TALBOTT. As I understand the amendment offered by the gentleman from Wisconsin, the point of order is made that it is not in order at this place.

Mr. FOSS. Not at this part of the bill. I make the point of order that it is not germane to this part of the bill.

The CHAIRMAN. Will the gentleman from Illinois indicate where it will be germane?

Mr. FOSS. It would be in order, if at all, on page 32, under the head of "Navy-yard, Washington, D. C."

Mr. TALBOTT. Yes.

Mr. PERKINS. Of course, Mr. Chairman, I do not object to this discussion; but I make the point of order to the provision altogether that it is new legislation.

Mr. TALBOTT. I desire to say to the gentleman from New York that I think this amendment is in the same language as that of an amendment which in the session before the last one was held to be in order.

Mr. PERKINS. If that is so, I presume the Chairman will overrule me, but I hope he will not.

Mr. TALBOTT. I agree with the chairman of the committee that it is not in order at this part of the bill. When we reach the Washington Navy-Yard, on page 32, the gentleman can offer his amendment and it will be germane to that part of the bill. I am perfectly willing to have the point of order sustained that it is not applicable to this portion of the bill.

Mr. CARY. Mr. Chairman, it seems to me this amendment is germane to this part of the bill. You can not have a gun factory unless you have something in which to mold the form of the gun. It seems to me to be a part of the gun factory. I think the amendment is germane. I have no objection to withdrawing the amendment if it can be put in later at page 32.

Mr. FOSS. The gentleman had better do that.

Mr. CARY. All right; I will withdraw it until we get to page 32.

Mr. TALBOTT. The gentleman withdraws it with the understanding that he can renew it at page 32.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to withdraw his amendment. Is there objection?

Mr. WILLIAMS. Mr. Chairman, there is objection.

The CHAIRMAN. The gentleman from Mississippi objects. The Chair sustains the point of order that the amendment is not germane to this portion of the bill.

The Clerk read as follows:

Torpedoes, and converting torpedo boats: For converting twenty torpedo boats from boats using 3.35 meter, to boats using 5-meter torpedoes, and for the purchase and manufacture of torpedoes, \$650,000.

Mr. PERKINS. I move to strike out the last word for the purpose of asking the gentleman in charge of the bill to explain how much of this \$650,000 is intended to be used for changing these torpedo boats.

Mr. FOSS. One hundred and fifty thousand dollars of this appropriation is for that purpose, and the rest goes toward the purchase and manufacture of torpedoes.

Mr. PERKINS. One hundred and fifty thousand dollars is for the changes?

Mr. FOSS. Yes; that is all.

Mr. PERKINS. I would like to ask the gentleman whether, if the Congress had been a little more deliberate in ordering the purchase of these torpedo boats, and the Department had not purchased them until a desirable form was reached, greater economy would not have resulted?

Mr. FOSS. This is due entirely to the change in the style of torpedoes, the increase in torpedo range. The range of torpedoes until this year has been between 1,000 to 2,000 yards, but it is now between 3,000 and 4,000 yards, or even more than that.

Mr. PERKINS. How many years ago were these boats purchased?

Mr. FOSS. These are the older boats, bought ten years ago, I think.

Mr. PERKINS. Is it not possible, as to these torpedo boats, as well as the submarine boats, that the Department sometimes goes ahead too fast and buys material at a large price that in a very few years becomes worthless?

Mr. FOSS. No. Of course there are improvements and changes going on all the time in the manufacture of torpedo boats and all kinds of boats in the Navy, and as the improvements and changes are made things do become obsolete and useless, unquestionably. Still those are changes which can not be reckoned upon in advance.

Mr. PERKINS. At the time these torpedo boats were purchased, had there been a sufficient test so that they were of actual value at that time?

Mr. FOSS. Oh, yes; these are service torpedo boats. Mr. Chairman, I call for the reading of the bill.

The Clerk read as follows:

Coal and transportation: Purchase of coal and other fuel for steamers' and ships' use, and other equipment purposes, including expenses of transportation, storage, and handling the same, and for the general maintenance of naval coaling depots and coaling plants, \$5,000,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 19, line 11, after the word "dollars," insert "Provided, That no part of the appropriation herein authorized shall be paid to foreign ships for carrying or transporting coal."

Mr. FOSS. To that I make a point of order.

Mr. HUMPHREY of Washington. I will ask the gentleman from Illinois to reserve the point of order.

Mr. FOSS. I will reserve it for five minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, I listened with a great deal of interest the other day to the chairman of the committee when he was telling of the benefits that had been derived by sending the Atlantic fleet around to the Pacific Ocean, and I listened with a great deal of interest to the gentleman from California [Mr. KNOWLAND], but it seems to me that both gentlemen forgot to mention the most striking thing in connection with that voyage, and that was that the nation had to employ foreign vessels to carry their coal.

Mr. KNOWLAND. I will state to the gentleman that I did mention that.

Mr. HUMPHREY of Washington. Out on the Pacific Ocean to-day we are welcoming that fleet, and we are welcoming it with pride and enthusiasm. We are proud of the fact that it is the greatest battle-ship fleet ever in the Pacific Ocean, but at the same time we have been humiliated by the fact that this Government of ours, in order to enable that fleet to make the trip, was compelled to employ foreign vessels to carry the coal; and while we have been welcoming that fleet, we can not but ask ourselves in the midst of our enthusiasm and pride, of what use after all would be this magnificent fleet except for show and parade? Of what real value is that fleet in case of necessity? For a battle-ship fleet without coal is as helpless as one without ammunition or guns, and there are no American vessels on the Pacific coast to carry coal for this fleet.

This fleet is to continue its way around the globe, and the very day they leave the Pacific coast they are not only helpless, but become a menace to the peace of this country. If ever war was to be declared, and the vessels left the Pacific coast, that moment all of these foreign vessels engaged in carrying coal would desert the fleet, and they could neither proceed nor return. When the fleet has visited the South American countries, and the people had seen these facts, is it any wonder that most any of the little South American governments indulge in the mildly exciting pastime of serving ultimatums upon this country?

As the fleet proceeds on its way around the globe it advertises to the world our national weakness and our national disgrace. I am proud to say that over in the other end of this Capitol patriotism has risen above politics and party, and a few days ago a bill intended to remedy, in a great measure, this fatal weakness, this national shame of ours, passed that body without a dissenting vote. [Applause.] I trust that the Members of this House will be equally patriotic when the time comes to vote on the ocean-mail bill that will furnish transports for the Army and auxiliaries for the Navy. I submit this question to-day to the House, What is the use of continuing the inexcusable folly of spending millions of dollars to build up a Navy when we have no ships to carry the coal for it, no auxiliaries to support it, and no seamen with which to man it? Mr. Chairman, I withdraw the amendment.

The Clerk read as follows:

Navy-yard, New York, N. Y.: For one clerk, at \$1,400; one time clerk, \$1,017.25; one yard pilot, \$2,000; two masters of tugs, at \$1,500 each; two writers, at \$1,800; one foreman laborer, at \$4.50 per diem; one mail messenger, at \$2 per diem, including Sundays; two messengers, at \$2.25 per diem each; one draftsman, at \$5 per diem; one quartermaster, at \$3 per diem; one superintendent of teams, or quartermaster, at \$4 per diem, including Sundays; one messenger to commandant, at \$2.25 per diem, including Sundays; one messenger, yards and docks, at \$2.25 per diem; one stenographer and typewriter, at \$3.26 per diem; one electrician, at \$1,400; one bookkeeper, or accountant, at \$1,200; one master of tugs, \$1,500; in all, \$23,196.89.

Mr. CALDER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 24, strike out all of line 11 and down to and including the word "cents," on line 12, and in lieu thereof insert the following: "one superintendent of teams or quartermaster, including Sundays, \$1,600.98."



Mr. CALDER. Mr. Chairman, an examination of this appropriation bill demonstrates that the Committee on Naval Affairs have fixed the salaries of master mechanics in the different navy-yards employed in the Bureau of Yards and Docks. The master mechanics in the other bureaus are paid out of the maintenance and increase of the Navy accounts. There is employed at the navy-yard at New York forty-eight master mechanics, or quartermen, in charge of different work. They are paid, as I said a moment ago, from the maintenance and increase in the Navy accounts. Of these men, forty-six have had an increase in pay since January 1 last. Only two have not been increased. This man has been receiving the pay provided for in this bill for the past ten years, and his salary would have been increased January 1 on the recommendation of the commandant of the yard but for the fact that his pay is fixed by law. In offering this amendment I am simply carrying out the recommendation of the Secretary of the Navy, and have inserted the exact amount provided for in his recommendation. I hope the committee will agree to it.

Mr. DRISCOLL. What is the increase?

Mr. CALDER. One hundred and forty-six dollars a year.

Mr. FOSS. I hope this amendment will be voted down. I ask for a vote.

Mr. BARTLETT of Georgia. Mr. Chairman, I ask that the amendment be again reported.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and on a division (demanded by Mr. CALDER) there were—ayes 15, noes 30.

So the amendment was rejected.

The Clerk read as follows:

Navy-yard, Washington, D. C.: Quay wall, to complete, \$25,000; storage bins for perishable material, \$6,000; machinery for power-plant extension, \$12,000; electric-light plant extension \$5,000; in all, \$48,000.

Mr. CARY. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Page 32, after line 8, insert:

"For an addition to the iron, brass, and steel foundry, the total cost not to exceed \$300,000, \$100,000."

Mr. LOUDENSLAGER. Mr. Chairman, I make a point of order as to that.

Mr. CARY. Will the gentleman reserve the point of order?

Mr. LOUDENSLAGER. Yes.

Mr. CARY. Mr. Chairman, I understand this same amendment was offered about a year ago, in the last Congress, and that a point of order against it was not sustained. It passed the Committee of the Whole House, but was defeated when the bill was reported to the House. This is not a new matter. It is only to extend the foundry. The Secretary of the Navy, on page 249 of the Book of Estimates, recommends that this addition be made to the foundry, and there has been no appropriation provided in the bill for it. For that reason I offer this amendment. I hope the point of order will not be sustained. I think the amendment is germane and that it ought to be inserted in the bill. I have good reasons for offering it. Quite a lot of work has been sent away from this foundry to be finished, or, in other words, to be completed, in outside private concerns. If we had the equipment to handle it all in the navy-yard, as the Secretary says, we might be able to save \$50,000 a year to the Government. Admiral Leutze, superintendent of the foundry, says that this is absolutely necessary, and it would save at least \$50,000 a year, thereby paying for itself within eight years.

I might say for the information of the House that in a recent hearing before the Naval Committee Admiral Mason, Chief of the Bureau of Ordnance of the Navy Department, explained that the present foundry is antiquated and entirely inadequate in size and unsuitable as a foundry for such an institution as the Naval Gun Factory. He regards it as a menace to the health of the employees and to the officers who live in the yard. In his opinion, the annual loss to the Government by not having better facilities in this regard would soon equal the amount needed properly to provide for this portion of the gun factory. He said, also, that the increased product of this factory would materially aid in the output of armament and result in a saving of both time and money.

Another gentleman who made a statement of like character was S. T. Nelson, a steel expert who was employed by Paul Morton when the latter filled the office of Secretary of the Navy.

Mr. Chairman, I desire to go on record, also, as favoring the building of war ships in our navy-yards. It is a fact that can not be gainsaid that our Government-built vessels are among the best of all our vessels now in commission, and that in many respects they are superior. It has been fully demonstrated that

the navy-yards can successfully compete in the building of these ships. The first-class battle ship *Connecticut* was built at the New York Navy-Yard, and is a splendid illustration of this fact. True, she cost a small amount more than the contract-built ships, but it is generally acknowledged that in point of construction and equipment she is 25 per cent better than her sister ship, the *Louisiana*, that was built by contract. As an offset to the increased cost of her construction the Government has expended upon her 25 per cent less for repairs since going into commission, and she was the first ship in our Navy to be built in contract time.

It is an interesting circumstance to which I desire to call the attention of the House that the battle ship *New Hampshire*, which was built by the New York Shipbuilding Company at Camden, N. J., and which had her preliminary acceptance by the Government exactly one month ago to-day, has not yet been finally accepted by the Department. After her preliminary acceptance she was sent to the Brooklyn Navy-Yard, where work upon her still continues, and no one, except the officers of the yard, knows when she will be finally commissioned. What is the *New Hampshire* doing at the Brooklyn Navy-Yard? In what condition was she turned over to the Government by her builders? I can answer this question by saying that she was supposed to be in condition to receive her guns and to be sent immediately to sea. Apparently this was not the case. I should like to inquire also, if additional work is being done upon the *New Hampshire*, who is paying the cost? Does the Government deduct what it is spending upon this ship from the amount paid to the builders to construct her? If not, does not this furnish an additional argument in favor of building all our ships, wherever possible, at the navy-yards; for I am told that a ship is never put into commission until the final touches in her construction have been placed upon her at the New York yard.

The three great maritime powers of Europe furnish us with an instructive object lesson in the matter of government-built ships. A recent report issued by the Naval Intelligence Office shows that during the last ten years Great Britain built twenty battle ships in her navy-yards as against fifteen by contract. France divided equally her battle ships during that period between her navy-yards and the contractors, but twelve of her eighteen armored cruisers were built in the navy-yards. Germany alone of the three powers built the majority of her battle ships by contract.

It would be the height of folly for the Government not to build some of our ships at our navy-yards. To continue the policy of giving the contracts to private bidders would result in the discharge of the skilled staff of workmen and the placing of the shipbuilding of the country wholly in the hands of the shipbuilding trust.

I wish to say, also, Mr. Chairman, that I am in hearty sympathy with my distinguished friend from Alabama [Mr. Hobson] in his efforts to secure an authorization at this session of Congress for four battle ships. It is understood that the President will shortly send a special message to Congress urging an increase in the number of battle ships reported by the committee from two to four. Naval experts are agreed that four battle ships of 20,000 tons each, carrying twelve 12-inch guns each, would be a practical match for the entire fleet of sixteen battle ships now engaged in practice work on the Pacific coast. All the great European powers, as well as Japan, are bending all their energies to the rapid construction of vessels of this class, and we can not afford to disregard their example. I am not in favor of using our Navy for aggressive purposes, but we do need it for defensive purposes, and that nation that is best able to defend itself is the one that will be last called upon for defense. I believe also that the American people favor a large Navy and that they will not begrudge the money that is intelligently spent in that direction.

Mr. Chairman, I now desire to pass as briefly as possible to another subject of great public interest: During the first week of the session I introduced a bill having for its purpose governmental control of the telegraph. Later I introduced another bill requiring telegraph companies to show on every message delivered by them the exact time at which it was accepted for transmission, as well as the exact time of its receipt at the point of destination. This is what the Government has been doing for many years on letters, and thus it can instantly be seen how many hours or days a letter has been in transit. The telegraph companies ought to observe like methods; for, under the system now in force, the person who receives a message has no knowledge whatever of the time consumed in transmitting and delivering it.

It was a matter of common notoriety during the recent strike of the telegraph operators that both the Western Union and the Postal companies received pay at the usual tariff rates for thou-

sands of telegrams that were sent to their destination by mail, such operations involving a delay of twenty-four and in many cases forty-eight hours, where, under ordinary circumstances, the telegrams ought to have been delivered within a few hours. This was a palpable fraud upon the public—the acceptance of money under false pretenses—and I believe that both companies could have been made to pay heavy damages had their action been called to the attention of the courts. Their purpose, of course, was obvious. It was intended to convince the public that, notwithstanding the strike, they were perfectly competent to handle the usual volume of business and thus to encourage the belief that the strike was a matter of no great moment to them, but merely a temporary embarrassment.

The bill requiring telegrams to show on their face the hour of acceptance and receipt at point of destination is now before the House Committee on Interstate and Foreign Commerce. I earnestly hope that before the close of this session the committee will favorably report it and the House be given an opportunity to vote upon it, for there is no public agency or great public utility that comes closer to the people than the electric telegraph, and whatever makes for its improvement makes also for the general good. This is my principal reason for introducing a bill to place the telegraph under Government control. Once it becomes a part of the machinery of Government, strikes will be a thing of the past. Consequently no such interruptions to business as occurred during the late strike of the telegraph operators, which continued for a period of three months, would occur again.

During the early days of that strike—for the first fortnight, I might say—the service of both the Western Union and the Postal companies were so badly crippled that telegrams were taken subject to delay, and these delays were frequently a day and even two days, where, as I have pointed out, dispatches were sent by mail. So embarrassing was the strike to those lines of business that are closely adjusted to the telegraph that a practical commercial paralysis existed, and for days the Chicago Board of Trade, to take a single instance within my own knowledge, vainly petitioned both companies for a speedy settlement with their operators in order that normal conditions might be restored and the immense volume of telegrams from that great exchange permitted to flow naturally again through the regular channels.

For it is not necessary to explain that practically all communications between boards of trade, chambers of commerce, cotton exchanges, and stock exchanges are sent by telegraph and are so related to this agency that a delay of ten or fifteen minutes often entails losses of thousands of dollars. Nor was this the only bad feature of the strike. Important dispatches of a purely social character, "death" messages, and the like shared the same fate to the great annoyance of the general public.

Now, that the telegraphers have demonstrated their strength (notwithstanding the strike proved a failure, owing to the precipitancy of the operators and an inefficient management), it is only a question of time before other strikes will occur in which the public, as usual, will be the main sufferer. This would not be the case if the Government operated the telegraph, for the simple reason that the operators would receive better pay and better treatment, and in return for this would give the Government a more cheerful and efficient service.

This phase of the question alone is a powerful argument for a Government telegraph, but there is the additional argument that the telegraph is a logical part of the postal service, and of the two by far the more important, inasmuch as the business of the country is not adjusted to the mails, but to the telegraph. If anyone doubts it, let him imagine for a moment what would happen if telegraphic communication between all points should be absolutely suspended for the brief period of even one week. This result, which is easily conceivable, would work such injury to commerce as could follow only an acute panic of many months' duration. And it will come with absolute certainty as soon as the operators can weld themselves into a compact organization embracing all members of the craft and under a wiser and more enlightened leadership.

Now, let us turn to some of the other advantages of a Government telegraph. In the mere matter of office rental there would be a saving of perhaps a million five hundred thousand dollars a year, inasmuch as the telegraph, being a part of the postal system, would be operated from the Federal buildings in which the post-offices are located. The greatest advantage, however, would be its freedom from bonded indebtedness and stock issues upon which the telegraph companies now pay dividends. Take, for example, the Western Union, which pays a 5 per cent dividend on one hundred millions of stock and  $4\frac{1}{2}$  per cent upon thirty-eight millions of bonds. It must earn for this purpose nearly \$7,000,000 a year in excess of its sinking-fund requirements.

But this is not all. If it be estimated that the Western Union is paying an office rental of \$1,500,000 a year in excess of what the Government would pay, it will be seen that a Government-controlled telegraph would save at least \$8,000,000 a year that the Western Union Company must now earn over and above operating expenses and cost, also of maintenance and repair. And this vast sum, which is a practical tax upon the people, would be saved to them. To this sum also should be added the annual tax upon all their properties, imposed by many of the States, to say nothing of the cost of light and heat in their vast chain of offices, from Maine to California and from the Great Lakes to the Gulf, from all of which the Government would be exempt. In these circumstances the Government could reduce the telegraph tolls at least one-half between all points and pay its employees 20 if not 30 per cent in excess of what they are now receiving, and give at the same time a greatly improved service.

A Government-controlled telegraph would have, moreover, this advantage: It would be operated with entire secrecy, and the "leaks," now so common, would disappear. Operators and clerks would be subject to severe penalties in every proven breach of confidence.

With improved methods of transmission and with proper economy in constructing its lines the Government could duplicate the Western Union plant for a sum not exceeding \$15,000,000. I know one system of rapid telegraphy that would require the minimum of wire service and which might be constructed for much less than the sum I have mentioned. This system is known as the "telepost," the invention of Mr. Patrick Delany, an electrical engineer of distinction, who served a long apprenticeship as an operator. By this system 1,000 words a minute can be sent over any circuit of reasonable length, say, from New York to Chicago, at a minimum price of 25 cents for 50 words.

A single wire operating between these cities would carry from 8 a. m. till midnight nearly 1,000,000 words. If the average telegram contains 25 words, including address and signature, it will be seen that one telepost wire would carry, within the limits of a commercial and a newspaper day, 40,000 messages. It is a safe assertion that the entire volume of business between New York and Chicago will not exceed, if it equals, these figures. To handle it would require twenty wires, duplexed, or forty if worked singly.

By the adoption of some such system of rapid telegraphy it will be seen that comparatively few wires would carry all the business between the large cities. To cover all towns and villages where post-offices are established would, of course, require greater expansion of wire service, but under any circumstances the plant would be less than one-fifth the size of the Western Union. The enormous saving thus effected, both in cost of construction and of subsequent maintenance, will be plain to any gentleman upon this floor. With no dividends to pay, with a tremendous saving in rental, fuel, and repairs, my contention that the tolls can be materially decreased and the employees better paid seems to be well supported. More than this, there will be, as I have pointed out, a greater efficiency of service and practically absolute secrecy.

So far I have confined myself to broad generalizations. Let me now cite one instance where a great industry, out of many that I could mention, would be signally benefited by a Government telegraph. I refer to the newspaper business, a business that educates our people to a proper conception of good citizenship and carries to the most obscure hamlet of our country the happenings of the day at home and abroad. Not only is the daily newspaper a welcome visitor in every household, but it has become a necessity to every intelligent person who desires to keep in touch with the world's doings. In this business hundreds of millions of dollars are invested, and anything that reduces its expenses or adds to its efficiency as a public educator ought to be encouraged, for in this way not alone the newspaper, but its readers will be benefited.

There are many newspapers in cities of 10,000 to 75,000 inhabitants that receive the service of the press associations, but which can not afford, or at least will not incur, the expense of supplementing these dispatches with a special service limited solely to matters of local interest or to the State in which they are published. I must admit, in all fairness, that the telegraph tolls for news dispatches are fairly reasonable—quite as reasonable as companies paying dividends on enormous quantities of watered stock can make. But a Government telegraph, operating a rapid automatic system, such as the telepost, could reduce rates to so low a cost that newspapers, even in cities of the third and fourth class, could afford a special telegraphic service from Washington, which is the source of more interest to the general public than all other cities combined.

It may be advanced as an argument against a Government



telegraph that it would add to the already large number of Federal employees an additional force of many thousand operators and clerks, and that all these people might be a menace to popular rights when controlled by a strong and corrupt Administration. Without discussing the absurdity of so remote a contingency as a powerful and corrupt Administration, it can only be said that under our present system of Federal appointments (outside of those requiring confirmation by the Senate), the telegraph employees, like those in the postal service and other branches of the Government, would be subject to the operations of the civil-service rules, and that they would represent every phase of political thought and every section of our common country. Such people could not be controlled, except in a purely administrative way, by any President or party. They would quickly be absorbed in the great army of Government workers and would be as powerless for harm as other men and women filling like places.

Mr. MUDD. Mr. Chairman, I apprehend the Chair has the decision before him. I can not just now put my hand on the decision upon this amendment when offered to the bill last year, but I know that this same question was ruled on last year and the ruling was in favor of its admission. I recollect very well that we had a vote on it and it carried in the Committee of the Whole House, but was lost in the House. It seems to me the amendment is clearly in order.

Mr. TALBOTT. Mr. Chairman, I did not think this portion of the bill would be reached so early and I have not had time to examine, but the gentleman from Ohio [Mr. SOUTHWORTH] last year offered two or three amendments having for their object the same as the gentleman's amendment now has. One or two of them were declared out of order, but finally the point of order was overruled as to the facts. We took a vote in the committee and the amendment was agreed to. Afterwards a vote was had in the House upon that amendment and it was defeated by one or two votes. I think the point of order, with the precedents before the Chair, ought to be overruled and that this amendment ought to be adopted on its merits.

Mr. LOUDENSLAGER. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair is ready to rule. Last year three separate amendments were offered appertaining to the brass foundry, two of which were ruled out of order, and one of which was ruled in order. The present occupant of the Chair has examined with care all of the proceedings of the committee last year, the amendments which were offered and the rulings which were made. Without going into the subject any further the Chair sustains the point of order in conformity with the decision of last year.

Mr. CARY. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. RUSSELL of Texas. Mr. Chairman, I regret very much, but I shall have to object.

The CHAIRMAN. The gentleman from Texas objects.

The Clerk read as follows:

Navy-yard, Charleston, S. C.: Sewer system, extension, \$5,000; heating system, extensions, \$10,000; completing power plant, \$70,000; slips for torpedo boats; \$50,000; in all, navy-yard, Charleston, S. C., \$135,000.

Mr. SPARKMAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the words dollars, line 12, page 33, insert the following paragraph:

Navy-yard, Key West, Fla.: For yards and docks building, \$18,000; for foundry, \$60,000; grading and paving, \$15,000; quarters for commandant, \$15,000; central power plant, \$25,000; administration building, \$45,000; for torpedo depot at Fleming Key, \$100,000; dispensary, \$15,000; latrines, \$5,000; tools and appliances for yards and docks, \$3,000; in all, navy-yard, Key West, Fla., \$361,000.

[Mr. SPARKMAN addressed the committee. See Appendix.]

The CHAIRMAN. The Chair is not called upon to rule upon that question at present, because that is not the form of the amendment. Does the gentleman from Illinois [Mr. FOSS] insist upon the point of order?

Mr. FOSS. I do, Mr. Chairman; and in view of the recent decision of the Chairman on the question of a foundry at the navy-yard here at Washington, and understanding, as I do, that this amendment carries a provision in it for a foundry, I think it is clearly subject to the point of order.

Mr. SPARKMAN. I do not understand it is a new foundry, but to add to what foundry is already there.

Mr. FOSS. As I heard it read, I understood it carried with it a provision for a new building.

Mr. SPARKMAN. If the gentleman will pardon me a moment, I will read something—

Mr. FOSS. Mr. Chairman, I shall insist, however, upon the point of order, so far as that is concerned. I appreciate the interest which the gentleman has in the building up of the Key West Naval Station. It is in his district and in his State, and he is certainly to be commended in his desire to build it up; but if we allowed all of the estimates which are sent here by the naval officers stationed at these naval stations and navy-yards we would be appropriating here this year \$45,000,000. Now, the committee has gone over this thing very carefully and made provision where they thought the greatest necessities exist, and for that reason I must say that, if the point of order should be overruled, I shall hope that the committee will vote down the amendment.

The gentleman, however, I want to say, has been most zealous in season and out of season, and has impressed the committee with the importance of Key West, so far as speech is able to do so; but in view of the situation, as I have said, we must necessarily cut down these estimates, otherwise the naval appropriation bill would amount to more than \$200,000,000 instead of a little over \$100,000,000. It seems to the committee that there is no other course to take.

The CHAIRMAN. The Chair is ready to rule. An amendment offered to an appropriation bill carrying an appropriation for an additional building which has been constructed within the limit of cost is usually sustained as carrying on a work in progress. The amendment offered by the gentleman from Florida provides on its face for a number of new buildings. There seems to be no authorization of law for the construction of those buildings. There is nothing to show in the amendment that the provisions are for additions to any building now existing. The Chair therefore sustains the point of order.

Mr. SPARKMAN. A parliamentary inquiry, Mr. Chairman. Do I understand the Chair to rule against the entire amendment because of some items in the amendment, while others are not open to objection?

The CHAIRMAN. Well, the Chair did not rule on all the items specifically, because it is not necessary. There were sufficient items in the face of the amendment to satisfy the Chair that it was subject to the point of order.

Mr. SPARKMAN. If the Chair rules against some of the items, while others were not open to objection, I would ask to strike out the objectionable items, and insist on the others.

The CHAIRMAN. The Chair is not inclined to hunt trouble in that way. The Chair rules upon amendments as they are presented.

Mr. SPARKMAN. I would like to ask unanimous consent to return to this section after a bit, in order that I may offer an amendment which will not be open to objection.

Mr. FOSS. I shall have to object to unanimous consent, inasmuch as the other side of this Chamber has frequently exercised that privilege.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. SPARKMAN. I hope there will be no objection to extending my remarks in the Record.

The CHAIRMAN. Is there objection?

Mr. FOSS. Do I understand that this is a request for unanimous consent to extend remarks in the Record? In view of the fact that gentlemen on the other side have objected to the extension of remarks I shall not object, if with that the gentleman will include the gentleman from Wisconsin [Mr. CARY], who desired to extend his remarks—

Mr. KELIHER. Include me.

Mr. FOSS (continuing). And the gentleman from California [Mr. MCKINLAY]—

The CHAIRMAN. The Chair understands the gentleman from Illinois to ask unanimous consent that the gentleman from Florida [Mr. SPARKMAN], the gentleman from Wisconsin [Mr. CARY], the gentleman from California [Mr. MCKINLAY], and the gentleman from Massachusetts [Mr. KELIHER], who have spoken in the committee, have leave to extend their remarks in the Record?

Mr. FOSS. Yes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and permission is granted. [Applause.]

The Clerk read, as follows

Naval Station, New Orleans, La.: Drainage system, to continue, \$5,000; central heating plant, extension, \$10,000; underground conduit system, \$5,000; improvements to machine shop, building No. 4, \$6,000; sewer system, extensions, \$5,000; in all, navy-yard, New Orleans, \$31,000.

Mr. SPARKMAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "dollars," in line 25, page 33, insert the following paragraph:

"Navy-yard, Key West, Fla.: For foundry, \$60,000."

Mr. FOSS. I make the point of order against that.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SPARKMAN. Will the gentleman withhold it, and let me read something to the committee?

Mr. FOSS. You can extend that in the RECORD.

Mr. SPARKMAN. I think, perhaps, you would not then have an objection.

Mr. FOSS. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Navy-yard, Puget Sound, Washington: Electric-light plant, extensions, \$5,000; water system, extensions, \$12,000; heating system, extensions, \$6,000; stone and concrete dry dock, to continue (to cost \$2,000,000), \$100,000; sewer system, extensions, \$3,000; telephone system, extensions, \$3,000; railroad and equipment, extensions, \$10,000; central power plant, extensions, \$140,000; hard-wood lumber shed, \$20,000; water-closet for ships in dock, \$12,000; oil house, \$30,000; dry kiln, \$6,000; underground conduit system, \$15,000; electric elevator and fittings, building No. 59, \$8,000; foundry for all departments (to cost \$175,000), \$50,000; in all, navy-yard, Puget Sound, Washington, \$420,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 24, line 16, strike out the words "hundred thousand" and insert the word "million."

Mr. HUMPHREY of Washington. Mr. Chairman, during the discussion on Saturday last the gentleman from Texas [Mr. GREGG] made a statement as to why the Atlantic fleet was not to remain on the Pacific Ocean. He said there was no need to have it remain there. He said its withdrawing showed that there was no danger of war with Japan or any other country upon the Pacific. Now, the real reason why the fleet is not to be kept upon the Pacific Ocean is because they have not a dry dock upon that ocean where the ships can be docked. Today, with 8,000 miles of coast line upon the Pacific, we have just one dock that a battle ship can enter. This amendment proposes to appropriate \$1,000,000 instead of \$100,000. It does not increase the amount for the dry dock, but it does increase the appropriation for this session. The reason why that \$1,000,000 is asked for now instead of \$100,000 is this: The Secretary of the Navy says that if this much is made available, that if the bids for the construction of a dry dock are not satisfactory, the Government is in a position to build the dock itself.

Mr. TAWNEY. Will the gentleman permit an interruption?

Mr. HUMPHREY of Washington. Yes, sir.

Mr. TAWNEY. Does the Secretary of the Navy claim that it is necessary to make the entire amount of \$1,000,000 available in order to enable the Government to begin the construction of the dock in the event that it can not contract for it?

Mr. HUMPHREY of Washington. I will not say that it is absolutely necessary, but the Secretary of the Navy said they wanted \$1,000,000 out of the \$2,000,000, which the dock is to cost, made immediately available.

Mr. TAWNEY. And the Secretary of the Navy and the gentleman from Washington know that however much we appropriate now the Secretary of the Navy can go on with the construction of the dry dock under the authorization within the limit of cost fixed.

Mr. HUMPHREY of Washington. I know that that is true if you do it by contract.

Mr. TAWNEY. It is true also if the Government is doing the work.

Mr. HUMPHREY of Washington. How much work could you do in a year for a hundred thousand dollars?

Mr. TAWNEY. How much work will they be ready to do before the next appropriation is available?

Mr. HUMPHREY of Washington. They ought to be able to do at least half a million dollars' worth of work.

Mr. TAWNEY. It will take them a year to complete the plans.

Mr. HUMPHREY of Washington. They have been figuring on the plans for over two years, and they ought to have them ready, and if we do not expend more than a hundred thousand dollars a year it will be twenty years before that dock is completed; but the Secretary of the Navy has said that if Congress will allow him this money he will complete that dock inside of three years. Now, when the battle-ship fleet is over on the Pacific, they tell us that they can not keep it there because we have no dry docks, and when the battle-ship fleet comes back to the Atlantic, then they say we do not need dry docks because we have no battle ships there.

Every Member of this House who has given the matter any attention knows that the dock at Bremerton is needed worse

than any other improvement in the entire country connected with the Navy Department, and as this amendment does not increase the amount asked, but simply makes it available, so that contractors will be compelled to give at least reasonable bids, a thing that the Navy Department claims they did not do before, I think the House ought to grant this million dollars, so that the Government can build the dock itself if the bids are unsatisfactory. The House may remember that the bids before were so high that the Navy Department could not construct a dock for the amount that had been appropriated.

Mr. ADAIR. Did the Secretary of the Navy appear before the committee and ask that this appropriation be made now, or does the Secretary of the Navy at this time think it ought to be done?

Mr. HUMPHREY of Washington. I know nothing about what he said before the committee, but two or three days ago in a conversation with the Secretary, he said the whole amount ought to be made available for the reasons I have stated.

Mr. ADAIR. But the gentleman does not know whether the Secretary had asked before the committee to have this amount made available?

Mr. HUMPHREY of Washington. No; I do not.

Mr. TAWNEY. The gentleman must be aware of the fact that when the Navy Department come before the committee, asking for authorization for doing a certain amount of work, they generally estimate the amount they can expend within the year, or until the next appropriation will become available. While I do not know what the Secretary of the Navy has done, I imagine that the Committee on Naval Affairs has done exactly what every other committee would do, and has given the Department what they estimate they can expend in the next year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. I move to strike out the last word.

Mr. FOSS. I should like to shed a little light on the situation right now.

Mr. HUMPHREY of Washington. In whose time are you going to shed it? That is what I want to know. [Laughter.]

Mr. FOSS. I will do it in my own time if I am entitled to the floor.

The CHAIRMAN. The gentleman from Illinois is entitled to be recognized, and will be recognized in opposition to the amendment of the gentleman from Washington.

Mr. FOSS. I wish to say in the first place that we have recommended in this bill exactly, dollar for dollar, what the Secretary recommended in his estimates.

Mr. HUMPHREY of Washington. Will the gentleman allow me a question?

Mr. FOSS. Just a moment. Last year we appropriated \$200,000 for this dock, and the year before we appropriated \$100,000, when we first authorized it, so that, with the appropriation this year, they have gotten not only \$100,000, but \$400,000 in all for this dock, and it has not yet been contracted for.

Mr. TAWNEY. And that can be used during the coming year?

Mr. FOSS. That is available for this coming year. Now, I do not know where the gentleman from Washington got his information, but the Secretary of the Navy has never in any communication to the committee asked for one dollar more. That is all there is in that proposition.

Mr. HUMPHREY of Washington. The gentleman may recall that while we gave the Department the last time all they estimated for, they did not estimate for enough, and were unable to make a contract for the dock.

Mr. FOSS. The Secretary of the Navy knew that situation when he sent his estimates in to the committee.

Mr. JONES of Washington. I want to ask the gentleman whether there is any doubt, under the language of this bill, that the Secretary can enter into a contract for the full \$2,000,000 for the cost of the dock?

Mr. FOSS. Undoubtedly he can. This is the same language that has been used time and time again in the matter of constructing dry docks.

Mr. TAWNEY. I suppose the original authorization gave the Secretary authority to construct this dry dock by contract.

Mr. JONES of Washington. I think not. I think the original authorization is in the same language as this; that it was to cost \$1,250,000, and it is a question in my mind whether this would authorize the Secretary to go on.

Mr. FOSS. It is the same language that we have used to authorize every dry dock that we have built.

Mr. JONES of Washington. Then I suppose it will be all right.



Mr. HUMPHREY of Washington. How much did the gentleman from Illinois say was available?

Mr. FOSS. With this, \$400,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 34, line 20, after the word "extensions," insert "to cost \$250,000."

Mr. HUMPHREY of Washington. Mr. Chairman, they have appropriated \$140,000, but I find in the hearings that Admiral Hollyday said that the power-plant extension he estimated would cost \$250,000. I would like to ask the chairman of the committee whether this is to complete it or just to start it.

Mr. FOSS. To continue it and make the necessary extensions within the fiscal year.

Mr. JONES of Washington. I did not quite hear the gentleman.

Mr. FOSS. These power plants are extended more or less every year according as the necessities of the yard may require. This is to permit of the extension within the coming fiscal year. We have cut the estimate in two.

Mr. HUMPHREY of Washington. Then this is not to complete it?

Mr. FOSS. No; not to complete it.

Mr. MADDEN. The gentleman's amendment would limit it so that it could never cost beyond \$250,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I will withdraw the amendment and offer another.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. HUMPHREY of Washington. I now send the following amendment to the desk.

The Clerk read as follows:

Page 35, line 3, after the word "dollars," insert "administration building, \$316,000."

Mr. FOSS. I make a point of order on that.

Mr. HUMPHREY of Washington. Will not the gentleman reserve it? I have not occupied very much time.

Mr. FOSS. I will reserve the point of order for five minutes.

Mr. HUMPHREY of Washington. Mr. Chairman, it has been urged by those who are familiar with naval construction in naval yards of the country that there ought to be a consolidation of these buildings, and that economy ought to be practiced in these yards. A most astonishing and startling statement was read here yesterday by the gentleman from Connecticut [Mr. LILLEY].

Now, the Navy Department has said that the best place to commence this system that they are trying to inaugurate is in the navy-yard at Bremerton.

Admiral Hollyday said:

I would like to explain that; that is the keystone to the consolidation. At present the various department offices are located in shops, and they are scattered over the yard, and to carry out the consolidation, if you put up one building—an administration building—you would put all the offices in there, and release that other space for shop purposes—the blueprint rooms, drafting rooms, and so on—and it would save messenger service and bring all the business together; and that is the keystone, as I have said, to consolidating the plants. The Secretary is very much in favor of the consolidation. After looking over the thing, he said: "I think Bremerton is an ideal place to start, and if we can not do it anywhere else I would like to do as much as possible at Bremerton, and I have cut out everything that I could at other places."

It seems to me, on the recommendation of the Admiral, it is time to commence to consolidate the buildings and commence the system of economy in our yards, and this ought to begin at Bremerton, where the Secretary of the Navy says is the best place to economize, and run the yards on a business basis. This is not my statement—it comes from the Admiral and the Secretary of the Navy.

Mr. CRUMPACKER. Will the gentleman allow a question?

Mr. HUMPHREY of Washington. Certainly.

Mr. CRUMPACKER. Does the gentleman believe that after we have made all the preparation for the consolidation we will be able to abolish any yard anywhere, under any circumstances, at any time?

Mr. HUMPHREY of Washington. I do not know, but if the yards are in the condition that the gentleman from Connecticut [Mr. LILLEY] said they were the other day, there are several that ought to be abolished. But whether we do or not, we think this consolidation ought to take place at Bremerton.

Mr. CRUMPACKER. I am rather skeptical about the abolition of any yard, and I would not be in favor of making much of an appropriation to get ready for that event with the very poor and uncertain prospects that are to-day before us.

Mr. HUMPHREY of Washington. The object of this appropriation would not be to abolish any yards, but it would be to make it so that you can operate this yard economically.

Mr. FOSS. Mr. Chairman, just a word. I want to say in reply to what the gentleman said, that it is possible to consolidate the working parts of these bureaus in the different yards without putting up an administration building in every Government navy-yard to cost \$350,000. That is not necessary to consolidation by any means. So far as the Puget Sound Navy-Yard is concerned, I may say it has been better treated than any navy-yard in this bill, and the gentleman ought not to object at all to the consideration that the committee has given it.

The CHAIRMAN. The gentleman from Illinois makes the point of order on the amendment and the Chair sustains the point of order.

Mr. JONES of Washington. Mr. Chairman, I move to strike out the last word. I simply desire to call the attention of the committee to the Puget Sound Navy-Yard for just a moment or two. I have had occasion heretofore to call the attention of the committee to the good location of this yard and to the advantages that are found there, and while I agree that the committee has treated this yard well, and agree with the chairman that it is treated better than any other yard in the bill, I will also say that it is the best yard in the United States, and therefore deserves the best treatment. [Applause and laughter.] All the battle ships now going to the Pacific can anchor in its harbor without crowding and in perfect safety. They can sail in by their own steam, day or night, and if necessary can enter the dock by their own steam. Now, I want to put in the RECORD the testimony of Admiral Hollyday with reference to this yard. I am glad to say there never has yet been a word of criticism uttered on the floor of this House with reference to the Puget Sound Navy-Yard. Every Member of the House, every member of the Department, and every gentleman interested in this matter who has ever visited there, unites in the opinion that in its location and with the facilities with which vessels can reach it, and all that sort of thing, its location could not be better. Admiral Hollyday has added his testimony with reference to the yard, and I desire to put that in the RECORD. I read from the hearings:

Mr. THOMAS. We have visited most of these other navy-yards, but this navy-yard at Puget Sound I do not know anything about.

Admiral HOLLYDAY. To begin with, Puget Sound is a yard that the Government has never lost a dollar on. We have gotten more for our money there than we have anywhere else, and I do not think anybody criticizes that yard. Everybody that goes there says its location is a fine one, and everybody seems to be in favor of it. It is certainly a fine yard.

Mr. SHERLEY. The gentleman does not mean the committee to understand that work is done in Puget Sound yards much cheaper than it is on the Atlantic coast?

Mr. JONES of Washington. Possibly not any cheaper, but you get more for every dollar you spend there than anywhere else.

Mr. SHERLEY. Is it not a fact that advocates of the Pacific coast have always asked for a 4 per cent differential for battle ships?

Mr. JONES of Washington. That is in favor of the building of battle ships, not in the dockage and taking care of them.

Mr. SHERLEY. Does the gentleman mean for an instant to contend that if that differential is justified in the building that there is not a differential in repairing?

Mr. JONES of Washington. I think not.

Mr. SHERLEY. The gentleman means to say to the committee that the work can be done as cheaply at the Puget Sound navy-yard as on the Atlantic coast?

Mr. JONES of Washington. I think possibly work can not be done as cheaply, but the main reason for the differential is that we do not get the material across the continent as cheaply, and, furthermore, I will say that that has nothing to do with this matter.

Mr. SHERLEY. No; except that when the gentleman is praising his yard over the rest of the country and trying to have a little more generous treatment than heretofore, he ought to be frank with the committee and state all the facts.

Mr. JONES of Washington. I am stating the facts and giving you the unbiased opinion of Admiral Hollyday, and if you will let us build there I think—

Mr. SHERLEY. -Oh, if we were to let you do it, there would not be any more yards left.

Mr. JONES of Washington. No; and we would be a good deal better off in the country, I am inclined to think. I continue reading:

There is no question of water there; there is plenty of water and it is well located. It will have to have additional quay walls. The water front will have to be improved, and if we get the money to carry on this consolidation scheme we will build a foundry and a pattern shop and storehouses. We will improve the efficiency of the yard in that way \* \* \*

Mr. LILLEY. They want more buildings. It is the best place for a navy-yard on that coast. Probably we will get work done cheaper next year than we have been able to get it for a good many years in the past, and there will be a good many contractors and workmen looking for work, and I think we ought to go right on and spend all the money at Puget Sound and direct all our energies there and make that a first-class yard.

Admiral HOLLYDAY. That is a place you can put your money without making any mistake.

Mr. LILLEY. Do you not think we had better spend all the money at Puget Sound rather than at any other place on the coast and bring the navy-yard at Puget Sound to a high state of perfection, just as if the steel folks, if you please, were going to start a new plant? Instead of doing a little bit each year at some place, they would put all their money and energies in some place where they had a good location and where they could get the best results.

Admiral HOLLYDAY. You will have to do it.

Mr. Chairman, we should have a great navy-yard on the Pacific coast, the greatest in the United States, and it should be the Puget Sound yard. Build it up as rapidly as possible. Not a dollar will be wasted, and the larger the appropriations the better value will be returned and the more economy in its development.

Mr. Chairman, I now withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Naval station, Olongapo, P. I.: Toward the improvement and development of the naval station, Olongapo, P. I., \$100,000. The Secretary of the Navy is hereby authorized to expend, without limitation as to quantities and unit prices, the various amounts appropriated by the act approved April 27, 1904, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes," for the naval station, Olongapo, P. I., for the respective improvements therein named.

Mr. JONES of Virginia. Mr. Chairman, I move to strike out the last word. I offer this amendment for the purpose of eliciting some information from the chairman of the Committee on Naval Affairs. It is my understanding that a joint Army and Navy board has decided that Cavite rather than Olongapo is the proper place for this naval station in the Philippine Islands, and I want to ask my friend, the chairman of the Naval Affairs Committee, if it be the purpose of his committee to have two naval stations on the island of Luzon, one at Olongapo and the other at Cavite. I also want to ask the gentleman if he will not explain what "various amounts" these are mentioned in this section to be expended at Olongapo, whether they are amounts that have for any reason been turned back into the Treasury, or if unexpended and still available, why they have not been expended?

I would like to have the gentleman answer in my time.

Mr. FOSS. I will say to the gentleman from Virginia that part of this is a reappropriation. When Mr. Moody was Secretary of the Navy he came before the committee and urged an appropriation of \$100,000, but the appropriation was so worded that they have not been able to use it, as, for instance, here is the wording of part of the appropriation: "For building 1,750 feet of quay wall at \$1.44 per foot." Now, Secretary Moody made that recommendation and it went into the bill and became a law. They have not been able to use that because the Comptroller has held that they can not spend the money unless they spend exactly \$1.44 per foot for the building of the quay wall.

Mr. JONES of Virginia. That was at Olongapo.

Mr. FOSS. That was at Olongapo, and then this further appropriation of \$100,000 was simply toward the improvement and development of the station. That is to say, we will have to remain in Olongapo at present anyway, whether we do permanently or not. We have a dry dock there which has during the last year docked some fifty vessels. There is no place in Manila Bay for that dock.

Mr. JONES of Virginia. That is the *Dewey*?

Mr. FOSS. That is the *Dewey*. That is, there is no place there that has been settled upon. We have a small naval station at Cavite, which was an old Spanish naval station, which we have taken and used at a comparatively small expense. That station we are using to-day, but we can not get within 2 miles of that station—

Mr. JONES of Virginia. I understand that.

Mr. FOSS (continuing). With our large ships on account of the shoal water.

Mr. JONES of Virginia. I understand that.

Mr. FOSS. And at the present time there is no place fixed or agreed upon anywhere in Manila Bay for that naval station. It is true that the last joint Army and Navy board recommended that the naval station be located somewhere in Manila Bay.

Mr. JONES of Virginia. Is it the idea of the gentleman that the selection of a suitable place for a naval station in the Philippines is still an open question?

Mr. FOSS. Before that time there were several joint Army and Navy boards which recommended that the naval station be located at Olongapo.

Mr. JONES of Virginia. I understand that.

Mr. FOSS. Three Secretaries of the Navy recommended that it be placed at Olongapo.

Mr. JONES of Virginia. But the gentleman has not answered my question; he is arguing the merits of the respective places, and I am asking the gentleman whether or not it is the purpose of the Committee on Naval Affairs to have two naval stations—one at Olongapo and one at Cavite?

Mr. FOSS. I am not saying what will be the ultimate purpose or ultimate policy; I am saying simply that we have made an appropriation in this bill for Olongapo for the coming fiscal year, and only so much as we believed to be necessary. We make a new appropriation of \$100,000 and a reappropriation of \$100,000, making in all \$200,000. Now, whether we stay at Olongapo or whether we go eventually to Manila Bay this thing is certain, we must provide for the needs during the coming fiscal year.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. JONES of Virginia. Mr. Chairman, I withdraw that amendment, and I desire to offer another.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the gentleman from Virginia offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 35, lines 7 and 8, strike out the words "one hundred thousand dollars."

Mr. JONES of Virginia. Now, Mr. Chairman, I offer this amendment because the chairman of the Committee on Naval Affairs has candidly and frankly admitted that he was not prepared to say what the policy and purpose of the Government was in the Philippine Islands as to a naval station. He is not prepared to say whether or not the station is to be at Olongapo, in Subic Bay, or whether it is to be at Cavite, in Manila Bay. The gentleman admits that recently a joint Army and Navy board has recommended that this naval station shall be at Cavite; but he says that sometime in the past another board recommended that it should be at Olongapo, and therefore, in view of these two conflicting and entirely inconsistent recommendations, he is not prepared to say what the policy of the Government will be as to a naval station in the Philippine Islands.

Now, it must be apparent to the chairman of the committee, and to every Member of this House, that we do not need two great and vastly expensive naval stations on one island in the Philippine Archipelago located within 60 miles of each other, and it does seem to me, until Congress has definitely and finally decided where the naval station shall be, we ought not to go on year after year and Congress after Congress appropriating vast sums, first for one and then for the other of these places, and oftentimes for both of them. Such a course as this is wholly inexcusable and well-nigh idiotic. Now, on page 42 of this bill, seven pages further on, there are to be found still other appropriations for the station at Olongapo, and I doubt if anybody outside of the members of the Appropriations Committee and the Committee on Naval Affairs can tell how much money has been appropriated for a naval station at Olongapo and how much for one at Cavite within the past few years, notwithstanding that everybody admits that finally there is to be but one such station in the Philippines.

These appropriations have been carried in different appropriation bills—sometimes in the naval bill, sometimes in the fortifications bill, sometimes in the sundry civil bill, and sometimes in the general deficiency bill. These various appropriations have each been for considerable amounts—in the aggregate they have amounted to an immense sum. I am not the advocate of either Olongapo or Cavite. What I insist upon is that it is high time Congress is deciding where the Philippine naval station shall be located, high time that this throwing away of the public money be put an end to.

For one, I am opposed, in the face of the recommendations of the joint Army and Navy board, recently made—and which I understand are likely to be adopted as the permanent policy of



the Government—to expending \$200,000 for the improvement and development of a naval station at Olongapo.

Mr. DRISCOLL. Will the gentleman yield to a question?

Mr. JONES of Virginia. I yield to just a question.

Mr. DRISCOLL. Now, I wanted to put two or three to the gentleman in succession.

Mr. JONES of Virginia. I did not hear the gentleman.

Mr. DRISCOLL. I was disposed to put about two questions in succession if I could. In the first place, I wish to ask the gentleman if it is not his opinion that at some time, and as near as possible, our Government should yield up its occupancy of the islands?

Mr. JONES of Virginia. Should do what?

Mr. DRISCOLL. Should surrender the occupancy of the islands.

Mr. JONES of Virginia. The gentleman knows full well what my position on that subject is.

Mr. DRISCOLL. Then we will pass that. Is the gentleman of the notion, if we do surrender the occupancy of the islands, we should obtain any place over there for a naval and commercial station?

Mr. JONES of Virginia. I will say to the gentleman very frankly that if I knew it to be the definite, settled policy of this Government to relinquish control over the islands, only reserving a naval station, I would advocate the retention of Subic Bay rather than Manila Bay. I say this frankly, for Manila is the very heart of the Philippines, and the retention of Cavite means, of course, the retention of the whole of Manila Bay. The retention of Manila would be the retention of the capital of the Philippines.

Mr. DRISCOLL. Furthermore, does not the gentleman think that we ought to retain a station over there somewhere for a naval and coaling station?

Mr. JONES of Virginia. As I have said, I am inclined to think we ought to retain a naval and coaling station there, but, as the gentleman knows, I am unalterably in favor of relinquishing the islands and granting the Philippine people their independence. But, Mr. Chairman, recently a joint Army and Navy board has decided that this navy-yard shall be at Cavite, and yet we are asked to appropriate \$200,000 to be expended on one at Olongapo.

The chairman of the Committee on Naval Affairs is insisting that Congress appropriate large sums for a naval station at Olongapo, when the joint Army and Navy board has just decided that Cavite and not Olongapo is the place for the station. This, in my judgment, means the throwing away of this money; for, in my opinion, the naval station will eventually go to Cavite. The recommendations of this board will finally be adopted, notwithstanding that the Naval Committee would expend this money with a view to preventing such action.

Mr. DRISCOLL. Is the gentleman in favor of spending a large amount of money and establishing permanent improvements at Cavite in order that this Government may retain that place in case we surrender the balance of the islands?

Mr. JONES of Virginia. I certainly am not. I have frankly said to the gentleman that, if it be the purpose of our Government to relinquish control over the islands, whilst I should favor the retention of a naval and coaling station, I would not favor the retention of Manila Bay for that purpose. If the only choice lay between Subic Bay and Manila Bay, I would favor retaining the former, simply because the retention of Manila Bay is, in my judgment, utterly incompatible with the granting of independence to the Philippine people. We are now expending large sums of money at both places, and it is this to which I object. I would rather see money expended on neither than to see it expended on both.

Mr. DRISCOLL. Until that is done these appropriations are only for temporary repairs or improvements, to keep them up ordinarily well?

Mr. JONES of Virginia. I do not so understand, for the language of the section is: "Toward the improvement and development of a naval station." This, Mr. Chairman, is all I desire to say on the subject.

Mr. GAINES of West Virginia. May I ask the chairman of the committee how much was appropriated in the bill in 1904, to which reference is made in this section?

Mr. JONES of Virginia. One hundred thousand.

Mr. GAINES of West Virginia. It occurred to me that the propriety of appropriating \$100,000 now might largely depend upon the amount that has already been appropriated for the same purpose.

Mr. JONES of Virginia. One hundred thousand dollars.

Mr. FOSS. One hundred thousand dollars.

Mr. ADAIR. How much has been spent?

Mr. FOSS. It has not been spent.

Mr. HOBSON. Mr. Chairman, I have been on duty in the Philippine Islands and was in charge of the department of construction and repair at the Cavite Navy-Yard, and while there took occasion to visit and carefully inspect the station, or at that time proposed station at Subic Bay. The physical condition of the two stations are so radically different that I believe when the gentleman from Virginia [Mr. JONES] understands what they are the light he is seeking will be sufficient.

Mr. JONES of Virginia. I will say to the gentleman I have seen both.

Mr. HOBSON. At the station at Cavite it is necessary for vessels of even moderate draft to anchor far out from the shore, and only small gunboats can come up to the navy-yard. There is no dock, and the small vessels have to be hauled out on a marine railway. Cavite is now, and from its physical condition must always remain, only a third-class station. Similarly for the rest of the bay. There is no place for a first-class naval station. The proposition is to transfer the dry dock *Dewey* to Manila Bay and practically dredge out a hole large enough to hold the dry dock and take on the vessels.

At Subic Bay, on the other hand, there is a magnificent harbor, ideal in many respects, with Isle Grande at the entrance, making it possible of perfect defense. Deep water carries right up to the shore line. There is no question at all in the minds of the Army men or the Navy men or any other men who have made investigations that Subic Bay is the only place physically adapted for an important first-class naval station. The difference only arises—

Mr. JONES of Virginia. I want to ask the gentleman if this joint board has not reported that it would require 100,000 men to defend it from the land side?

Mr. HOBSON. I am coming to that.

Mr. LOUD. Is there not now a plan at Olongapo that it would require an immense amount of dredging, something over a million dollars? I saw an item there two years ago for an enormous amount of dredging at that point.

Mr. HOBSON. For properly expanding the station there will ultimately be additional dredging in the upper part of the bay.

Mr. LOUD. Could not the same amount be expended in Manila Bay and have the ships go up to the station at Cavite?

Mr. HOBSON. The dredging in Manila Bay would have to be much more extensive and would have to be continuous on account of filling.

As to the point raised by the gentleman from Virginia, the whole question between these two harbors is simply one of defense.

We can not hold Subic Bay ten days against an enemy landing in force and approaching from the rear; we can hold Manila Bay ninety days. That is the difference. We desire to gain the ninety days, with the hope of relief, by the arrival of the fleet. The fact is, the only way to hold the islands at all is to control the sea. The leverage of distance is all against us. We have no transports to take troops required, and we have no considerable number of troops if we had the transports. We can not permanently defend Manila Bay or Subic Bay or any other bay or any of these islands except by control of the sea. At this juncture we only temporarily control the sea. That control will soon pass from us when our fleet is withdrawn. An army from Asia could land and take Subic Bay from the rear without any substantial resistance and then proceed further and take Manila City and Manila Bay. But the line would be drawn in toward the city, and the force now there, on the shorter line, could hold out about ninety days. The transfer from Subic Bay to Manila Bay can thus only be regarded as temporary. We have hurriedly put up navy guns to protect Subic Bay, because Army guns designed were not available. We have prepared mines and other defenses, but the transfer is not a permanent one.

No man having the choice would choose Manila for a permanent basis. We must simply use Manila and Cavite as an auxiliary station for small boats, and provide Olongapo with great docks and shops to take care of large vessels.

Mr. JONES of Virginia. Does the gentleman mean to say that is the recommendation of this joint board?

Mr. HOBSON. I am not saying what I am not authorized to say.

Mr. JONES of Virginia. The gentleman is saying what we are going to do. I want to know what his authority is, or whether it is his opinion.

Mr. HOBSON. I will, if you wish me, say that it is my opinion.

Mr. JONES of Virginia. Does the gentleman set up his opinion as against the recommendation of the joint board?

Mr. HOBSON. I will say this: I will ask the gentleman from Virginia if he means to say the joint board recommends the complete and permanent abandonment of Subic Bay.

Mr. JONES of Virginia. I understood that to be so.

Mr. HOBSON. Would the gentleman think that the Navy Department, represented as it is on the joint board, would come to the Naval Committee and ask for an appropriation for Subic Bay after such a decision?

Mr. JONES of Virginia. I understand that is the situation.

Mr. HOBSON. I simply submit it in this way. This amendment ought to fail. Subic Bay will be, and must be, ultimately our chief naval station. Whether we can defend it or not from the land, it is going to be the station. While we lack the permanent control of the sea it may not be wise to proceed on the ultimate programme, and it is doubtless a wise precaution to prepare as extensive a plant as practicable in Manila Bay, even to the dredging of a hole capable of taking the floating dock, yet we ought not to abandon the station we already have at Subic Bay, and the amendment ought to fail.

Mr. SHERLEY. Mr. Chairman, I am sure that the committee has listened with interest to the remarks of the gentleman from Alabama, because he is possessed of knowledge that is not possessed by the average Congressman; but to my mind the chief value of his speech lay not so much in that technical knowledge that he gave us the benefit of as it did in making clear that in voting for this appropriation we would be voting to make of Subic Bay a permanent naval base. There were those of us in the House who believed that that matter had been closed.

Certainly the fortifications committee had from the testimony brought before it reason to believe that Subic Bay was not to be made a naval base, but was to be abandoned as such. Certainly the action of this House as to whether the base should be at Cavite or at Subic Bay has clearly shown that it preferred Cavite. I for one am not willing to fortify two naval bases on the island of Luzon, nor am I so possessed with the fear of impending disaster either to the United States proper or to any of her possessions as to believe that we need to fortify with naval guns the land defenses of Subic Bay or to make that particular place into a naval base.

Mr. FOSS. May I interrupt the gentleman?

Mr. SHERLEY. Certainly.

Mr. FOSS. I should like to ask the gentleman if Subic Bay is not already fortified to some extent by the Army?

Mr. SHERLEY. It appears from what has come out unofficially, and not as the result of the action of Congress, that quite a little has been done there—how much I am unable to say, not being in the confidence of those who have the matter in charge.

Mr. FOSS. May I interrupt the gentleman again?

Mr. SHERLEY. Certainly.

Mr. FOSS. Did not the appropriation for fortifications last year, emanating from the gentleman's committee, carry an appropriation for the fortification of the Philippine Islands; and of that sum, was not a part used by the Army, not the Navy, for the fortification of Subic Bay?

Mr. SHERLEY. I will say that "the gentleman" was not a member of the subcommittee on fortifications at that time, and his knowledge was not as accurate of the previous bill as it is of this. It is true that certain moneys were recently expended for certain guns, looking not so much to the making of a naval base at Subic Bay as to their value in regard to the defenses of Manila and of Cavite, for now, after the Subic Bay project has been abandoned, we are told that the money expended there under a plan that looked to make of it a naval base has not been money wasted, because it has this advantage in regard to the defenses of Manila. But I will say that the testimony taken before the fortifications committee this year, not last year, was to the effect that Olongapo had been abandoned as a naval base, and that it was not contemplated to make a naval base there. Now, when this item came up for consideration through the questions of the gentleman from Virginia, the gentleman from Illinois [Mr. Foss] gave the impression that this was simply an appropriation for a temporary purpose, made necessary on account of the dry dock being there, and yet within the last moment he has taken the view of the gentleman from Alabama that it is in line with the policy of making Subic Bay a naval base. At least the committee ought to know which is so—whether the appropriation is for temporary purposes or whether it is looking to the permanent establishment of a naval base there—and I ask the gentleman now to answer.

Mr. FOSS. In reply to the gentleman from Kentucky, I would say that I see no way out of the proposition other than

simply to maintain the naval base at Subic Bay for the present, at least—

Mr. SHERLEY. The gentleman has answered the question, and I am indebted. I wanted that information. The gentleman can further reply in his own time.

Mr. FOSS. Now, if the gentleman—

Mr. SHERLEY. Mr. Chairman, I must insist on having the balance of my time.

The CHAIRMAN. The gentleman declines to yield.

Mr. SHERLEY. I permitted the gentleman to give his answer. I asked him a question, and he answered that in his judgment it was necessary to make of Subic Bay a naval base. Now, an honest confession is good for the soul. I am glad that this discussion has brought out the committee's real attitude. I shall not attempt to put my knowledge against that of the experts of the House, but I state to the committee, what is within the knowledge of all Members here, that the last authoritative statement made by those of the Army and Navy charged with determining this question was in favor of making Cavite the naval base and not of making Olongapo the naval base. I do not believe we ought to reverse the findings of that joint board. I do not believe this appropriation ought to be carried. I certainly do not believe that an appropriation of \$100,000 ought to be carried for Olongapo and an appropriation of only \$50,000 carried for Cavite. That does not look like they propose to have this simply a temporary provision. The gentleman from Alabama has told you something about the depth of water. Those of us who went into the harbor of Olongapo saw a great area of ground.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Kentucky asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. SHERLEY. As I say, in the harbor of Olongapo we were shown a great area of ground where we were told by the naval authorities, and it is of record, that many many thousands of feet of dredging would have to be done in order to make that a proper naval base. The gentleman himself declares that it is not capable of being defended half so well as Cavite. He states that it could be held ten days as against ninety days in favor of Cavite, and then he takes occasion, properly from his view point, to speak of the necessity of having a fleet that shall control the seas without regard to fortifications on shore. But that question is not the one now before the committee. It is for the committee to determine whether it wants to reverse the action of Congress and again bring into prominence the agitation in favor of Olongapo.

Mr. DRISCOLL. May I ask the gentleman a question?

Mr. SHERLEY. Certainly.

Mr. DRISCOLL. I think the gentleman—I am not sure about it—but I had the notion that the gentleman from Kentucky was in favor of our Government—

Mr. SHERLEY. Oh, I see the line of the gentleman's argument, and I answer him in this way: I am not a prophet nor the son of a prophet. I do not intend to say whether we will ever leave the Philippines or not, but I do know, in my humble judgment, that we are justified in following the view of those who have knowledge in regard to which is the better place for a naval base, and they have decided in favor of Cavite. I acquiesce in their judgment. I do not know that, even if we gave up the Philippines, it would be necessary, as has been assumed, that we should have a naval base there, and I do not know that we will ever give them up. I am not dealing with that question; I am following the view taken by the joint board, and I want the committee to follow that view, and not to give new life to this project.

Mr. CRUMPACKER. Will the gentleman answer a question?

Mr. SHERLEY. I will yield to the gentleman.

Mr. CRUMPACKER. The gentleman from Kentucky is a member of the Committee on Appropriations and I understand is a member of the subcommittee that has charge of the fortification bill. The fortification bill reported a substantial appropriation for coast defense in the Philippine Islands, without specifying where the money should be expended, and then informed the House in Committee of the Whole House, that it had been settled that the naval base should be at Cavite. I believed that that matter had been finally settled. Now, if it is not settled, why did not the committee provide that the money should be expended for defense at Cavite? I am not in favor of this appropriation. I thought I was, but until this question is settled and we can expend the public money with some degree of intelligence, I am opposed to it.



Mr. SHERLEY. The gentleman knows that in appropriations carried in the fortification bill it has been the policy of those in charge of this legislation to designate the sums, but not to indicate the particular points or the particular character of the fortification on which the appropriations were to be expended. In my own judgment the secrecy that necessitates that is of no value. I do not think it would be material if you wrote out in detail your whole programme, so far as informing anybody else, because the information they desire they obtain anyhow, and it simply results in presenting a bill to Congress that does not carry to Members the information that it should. But it was the clear understanding, stated on the floor, stated in the hearings, that Olongapo had been abandoned as a naval base, and that it was contemplated by all branches of the service that Cavite was to be the naval base on the island of Luzon. With that clear understanding, I do not believe that this House is warranted in appropriating this sum of money on the meager statement that it may be necessary for present needs, and for that reason I have made these remarks.

Mr. HOBSON. May I ask the gentleman a question.

Mr. SHERLEY. Certainly.

Mr. HOBSON. Does the gentleman say that the appropriation of \$100,000, enough to keep the equipment in good shape, is opposed by the general board?

Mr. SHERLEY. I can best answer the question by saying that from the gentleman's own remarks and from those made by the chairman of the Committee on Naval Affairs it is not simply a proposition looking to that for the current year, but a proposition looking to make a naval base at Subic Bay.

Mr. HOBSON. Does the gentleman regard the small appropriation made for Olongapo adequate to begin a great improvement like that of making it a naval base?

Mr. SHERLEY. I notice that the language permits it, and the gentleman has heard the old story of the camel and the tent. Now, I do not propose to let the whole camel inside the tent by letting in the head.

Mr. HOBSON. The gentleman has been to Cavite. I wish to ask him if he thinks it a reasonable proposition that that shoal water there is available for a great naval base under the circumstances.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I have not the time or I would answer the gentleman.

Mr. FOSS. Mr. Chairman, I desire to call the attention of the gentleman from Kentucky [Mr. SHERLEY] to something which occurred in the Committee on Appropriations when the subject of fortifications was up for Subic Bay. General Crozier was on the stand. I read:

Mr. SHERLEY. General, before leaving this matter, what has heretofore been expended, if you know, looking to the fortification of Subic Bay, which is now to be abandoned?

General CROZIER. I can tell you that, sir. There has been provided for Subic Bay, still intending to go there, two 10-inch guns on disappearing carriages, four 6-inch guns on disappearing carriages, and eight 15-pounders and mounts.

Mr. SHERLEY. That is the expense growing out of the ordnance only?

General CROZIER. Yes.

Mr. SHERLEY. You have no direct knowledge of the other expenses?

General CROZIER. No. It would be only a guess. It differs so much at different places, that I would not like to guess. It depends on the engineering difficulties that they encounter in each particular locality. The cost for the armament which has been provided for Subic Bay and is going there is \$260,800, and in addition two guns which we already have on hand, made some time ago, but which have not had to be specially appropriated for.

Mr. SHERLEY. In the absence of further provision for the fortification of Subic Bay, of what value would these guns that have already been ordered to go there be?

General CROZIER. They would prevent the enemy from going there and occupying it as a naval base, as a comfortable rendezvous for naval vessels; and they would require, in order that Subic Bay might be used for such purposes as that, that a landing force with some kind of artillery, siege artillery, should get ashore there and get up on the surrounding heights and make that place untenable. It would require that much of an effort before Subic Bay could be used as a base.

Now, Subic Bay has been fortified to some extent, and is being fortified probably to as great an extent as is necessary. Whether we have Subic Bay as a naval base or not, it is the testimony of our naval authorities that Subic Bay must be fortified.

Mr. SHERLEY. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield?

Mr. FOSS. I do.

Mr. SHERLEY. The gentleman does not mean to convey the impression that fortifications now at Subic Bay or those that are to be put there under existing appropriations are all that were contemplated if Subic Bay had been a naval base?

Mr. FOSS. No; I am simply stating that fortifications have already been put there to some extent.

Mr. SHERLEY. The gentleman will recall that I stated that fact, and the justification was that they would have some

value in the defense of Cavite, and if the gentleman will read the hearings fully he will find that statement made.

Mr. FOSS. I did not understand the gentleman to say that any fortifications have been put up there.

Mr. SHERLEY. The gentleman did so state.

Mr. FOSS. The situation in regard to Subic Bay is this. When Mr. Moody was Secretary of the Navy, he came before the Committee and urged the establishment of a naval base at Subic Bay. He did it upon the opinion of the naval officers, who had made a careful investigation into different locations for a naval base in the Philippine Islands, and it was the opinion of our naval authorities at that time that Subic Bay was the most suitable place in the Philippine Islands for the establishment of a naval base. Congress at that time made an appropriation of some \$850,000 for the establishment of a naval base at Subic Bay. Five hundred thousand dollars went into a coaling plant and the rest went into improvements at the naval station. We have been using there some of the equipment or buildings of the old Spanish naval station.

The Spaniards had been in the Philippine Islands for hundreds of years, and, in looking around for the most suitable place for a naval station, they had fixed upon Subic Bay. So we took what was left of the old naval station and have been getting on there in a very small way. We have made comparatively few appropriations for Subic Bay. In all they have amounted to about \$2,750,000, but of that \$1,250,000 has gone for a floating dry dock, which could be moved away. Of that \$500,000 has been for a coaling plant.

Mr. LONGWORTH. Will the gentleman state at this time how much was estimated to be the total sum to make Subic Bay a naval base?

Mr. FOSS. There have been various amounts estimated from time to time. It depends entirely on how large a base you want. The first estimate that was made, some years ago, amounted to \$20,000,000. That was the maximum. The committee paid no attention to these estimates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. I ask unanimous consent to continue for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOSS. Then another estimate was made of about \$12,000,000 and submitted to the committee by the Navy board. Then Mr. Moody brought in an estimate of \$8,000,000, at the time when he appeared before the committee urging the importance of this.

And then Admiral Dewey came along a little later and said:

Do not give us a great naval station there, but give us a little something.

He perhaps more than any man in the Navy recognized the great importance of Subic Bay. He expected to find the Spanish fleet there and he turned the prows of his ships into Subic Bay expecting they would be there, because he regarded, from the standpoint of naval strategy, that Subic Bay is the place for a naval station, and he believes it to-day as much as he ever believed it before. Now, we—

Mr. COCKS of New York. Mr. Chairman—

Mr. FOSS. I decline to be interrupted. Secretary Moody, as I said, appeared before the committee, and there were brought in these recommendations for the establishment of a naval base at Subic Bay. The joint Navy and Army board agreed to it unanimously. We have had three or four joint Army and Navy boards and they have all agreed upon that proposition. Four Secretaries of the Navy—Mr. Long, Mr. Moody, Mr. Morton, and Mr. Bonaparte—have recommended this station. Now comes along the joint Army and Naval board this year and tries to upset the whole proposition of the previous joint Army and Navy boards and the recommendations that have been made in previous years, and that comes before the committee practically after the bill has been drawn up. When the Secretary of the Navy was before the committee he did not know anything about this report of the joint Army and Navy board. Now, what is the report of the joint Army and Navy board? Let me read you just one paragraph, in which it states the whole situation. This is signed by George Dewey, Admiral of the Navy, senior member:

That as to the first named of these considerations—

Referring to the naval base—

JOINT BOARD,  
Washington, January 31, 1908.

SIR: The joint board at its meeting of this date and at various meetings previously held took up the consideration of the question of the suitability of Subic Bay for a naval base, having regard to its capability for defense, by the United States forces which will be available, against attack from both the sea and land sides; and further, as to whether the naval base, with all its appurtenances, should not be located behind the fortifications of Manila Bay.

These questions were brought before the board by an order of the President, dated October 26, 1907.

After mature consideration of all features involved, the joint board unanimously adopted the following resolutions:

"I. That the proper defense of the Philippine Islands includes the fortification of the entrances of both Manila and Subic bays, such fortification being essential both to protect the armed forces of the United States and to prevent occupation by an enemy.

"II. That in order to sustain any policy of the United States in the Orient, a suitable naval base in the Philippines is essential; and that, in the selection of such a base, it is necessary to consider the adaptability of the site for purposes connected with the shelter, supply, and repair of a fleet and its capability of defense against attacks both from land and sea for such a period as may be necessary for the preparation and transfer of the battle fleet to Philippine waters from the most distant station at which it may be found at the outbreak of hostilities, probably the Atlantic coast of the United States.

"III. That, as to the first named of these considerations, Subic Bay is the most suitable port in the Philippines; as to the second, the Army has determined that the conditions surrounding Subic Bay are such that no land fortifications of any kind can be erected covering the bay which will enable the Army to hold it, with any such land force as Congress is at all liable to authorize for permanent maintenance in the Philippine Islands, against a serious land attack.

"IV. That the alternative is to locate the naval base in Manila Bay.

"V. That in the event of threatened hostilities involving the Philippine Islands before the establishment of a naval base in Manila Bay, all the military resources of the United States available in those islands should be devoted to the protection of the temporary naval base, wherever it may be."

Very respectfully,

GEORGE DEWEY,  
Admiral of the Navy, Senior Member.

The honorable the SECRETARY OF THE NAVY.

Now, what are you going to do? I may say, ever since the naval authorities established our naval station at Subic Bay for some reason or other the Army has been opposed to it. They say they can not defend the naval base. Is there necessity for defense of it? Is there a navy-yard in our own country which is defended behind? Is this true of New York? Are there any fortifications behind it? If you regard the Filipinos as peaceful people and our base on peaceful territory, what is the necessity for the defense? Shall we defend against the Filipinos?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOSS. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSS. Who shall we defend it against; an invading force? Then they must get into the Philippine Islands some way behind this naval base and come up over the mountains. Where will they come from? Japan, China, or where? How will they get there if we have command of the sea; and this whole question of the protection and fortification of the Philippine Islands depends ultimately and fundamentally upon one proposition and that is, Who is to command the sea? Now, gentlemen, that is the situation. They say "go to Manila Bay." Will the joint Army and Navy board please point out any location in Manila Bay? Where is there a place in Manila Bay anywhere near the shore where we can locate this great floating dry dock which is now in Subic Bay and which takes 50 or 60 feet of water to locate it in. Take our station at Cavite. There was an old Spanish station on which we have spent perhaps \$50,000 a year in repairs, not more than that to maintain it there, and yet you can not get within 2 miles of Cavite with a big battle ship; and not only that, but if you will look into the records of the Navy Department down here you will find it will cost at least \$5,000,000 to dredge sufficiently deep to get a battle ship up to Cavite station. And when you go to Cavite station, what have you got? Only a few acres of land—21 in all—whereas at Olongapo you have a great naval reservation of 15 square miles or over.

At Cavite you have got only just a little narrow strip of land, and low land at that, to which you can not bring vessels to be repaired, except light vessels; and not only that, by reason of the fact that the entrance to Manila Bay is some 8 miles wide, whenever there is a storm there, a typhoon or monsoon, it sweeps in there and destroys the shipping unless it is behind a breakwater, and you can moor no dry dock there in any suitable place at the present time that would not be taken away from its moorings in one of those storms.

And so, as I say, if the Army and Navy board want the naval station at Manila Bay they must first point out the location. They must first find a place to put the dry dock. They have not done it yet, and until they do it we must appropriate in this bill for the maintenance of the naval base as it is to-day. Why? Because we have got to do business during the next year. Now, recommendations were made by the Secretary of the Navy for how much for Olongapo? Five hundred and fifty-five thousand dollars. Did the committee grant it? No. What did they grant? One hundred thousand dollars. And, in addition, a reappropriation of another appropriation that was made in

Secretary Moody's time which had become unavailable by reason of the language of the appropriation, and they made that appropriation in such language as would make it available. So we have got \$200,000 in this bill, a little more than a third less than what the Secretary of the Navy recommended, and that is the provision here. And I say to you it will take some time if we go to Manila Bay to find a suitable location, and it will take a longer time to dredge Manila Bay so that we can get our dry dock to the naval station; and it will take a longer time still before we will be ready to do the business, which we have been doing in a mild, economical way, at Subic Bay, where we have docked more than fifty vessels during the last year. Now, in view of that situation, what is this committee to do? Only one thing, and that is to provide for the needs and the necessities of coming years as we provided for them in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20471—the naval appropriation bill—and had come to no resolution thereon.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 20310. An act relating to the liability of common carriers by railroad to their employees in certain cases.

#### ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 17983. An act for completing the pediment of the House wing of the Capitol.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 4780. An act to authorize the Secretary of War to make certain disposition of obsolete Springfield rifles, caliber .45, bayonets, and bayonet scabbards for same;

H. R. 18689. An act to authorize the Secretary of War to furnish two condemned brass or bronze cannon and cannon balls to the city of Winchester, Va.; and

H. R. 18754. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors.

#### WITHDRAWAL OF PAPERS.

Mr. CALDER was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Frank E. Pierce, H. R. 12710, Sixtieth Congress; no adverse report having been made thereon.

Mr. KNOX was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Duncan C. Milner, H. R. 19891, Sixtieth Congress, no adverse report having been made thereon.

#### LEAVES OF ABSENCE.

By unanimous consent leave of absence was granted to—

Mr. PATTERSON, for an indefinite period, on account of death in family.

Mr. GAINES of Tennessee, for two days, on account of sickness.

Mr. HAGGOTT, for a period of three weeks, in order to attend to important business matters.

#### EMPLOYERS' LIABILITY BILL.

Mr. STERLING. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois [Mr. STERLING] asks unanimous consent for the present consideration of the following concurrent resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution No. 37.

Resolved by the House of Representatives (the Senate concurring), That in enrolling the bill H. R. 20310, relating to the liability of common carriers by railroads, to their employees in certain cases, the enrolling clerk be directed to correct said bill by inserting in section 3,



after the word "railroad," in line 2, the words "under or by virtue of any of the provisions of this act," so that said section 3 will read as follows:

"Sec. 3. That in all actions hereafter brought against any such common carrier by railroad, under or by virtue of any of the provisions of this act, to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee: *Provided*, that no such employee who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee."

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I will ask the gentleman from Illinois to yield a moment to me. Mr. STERLING. I yield to the gentleman.

Mr. WILLIAMS. Mr. Speaker, I want to explain for the benefit of this side of the House, briefly, why I do not object to unanimous consent in this particular case. This is a clerical error which was made in the employers' liability bill. The employers' liability bill is one of the pieces of legislation upon the minority programme; and, of course, I will not object to any rate of speed, however great, which makes a law of it and puts it on the statute book. I withdraw the objection.

The SPEAKER. The Chair hears no objection.

The question was taken, and the resolution was agreed to.

#### VETO MESSAGE OF THE PRESIDENT.

The Speaker laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without my approval, House bill 15444, to extend the time for the construction of a dam across Rainy River.

This bill is returned for several reasons, some of which are general, others special. In this particular case permission to construct this dam was originally given, as being in Rainy Lake River, by the act of May 4, 1898 (30 Stat., 398), which limited the time for commencing the work to one year and for completing it to three years from that date. Further extensions of time were granted as follows: For commencement, three years, and for completion, five years from May 4, 1900, by the act of that date (31 Stat., 167); for construction until May 4, 1907, by the act of June 28, 1902 (32 Stat., 485); for completion until July 1, 1908, by the act of February 25, 1905 (33 Stat., 814). The act of 1905 substituted the Rainy River Improvement Company for the original permittee. All rights given by these acts will expire July 1, 1908, unless the dam is completed on or before that date. In other words, the permittees will then have enjoyed for more than ten years the exclusive privilege of constructing this work, and have apparently failed to take advantage of it, for this bill would extend the time for three years longer to some unnamed day in July, 1911.

I do not believe that natural resources should be granted and held in an undeveloped condition either for speculative or other reasons. So far as I am aware, there are no assurances that the grantees are in any better condition promptly and properly to utilize this opportunity than they were at the time of the original act, ten years ago.

In all permits of this character the duty of declaring a forfeiture, after notice and hearing, for failure to begin or complete construction within the time limited by the permit, or for other breach of conditions, should be definitely imposed upon the proper administrative officer (in this case the Secretary of War). There have been many unfortunate experiences resulting from conditional grants, which, though on their face apparently terminable for breach of condition, proved practically indeterminate because no one official was specifically given power to discover and declare the breach. The general statute regulating dams in navigable waters (act June 21, 1906, 34 Stat., 386), though representing an advance, yet leaves uncertain much that should be definitely expressed in each act permitting the construction of dams under this statute.

A definite time limit is one of these important omissions. The public must retain the control of the great waterways. It is essential that any permit to obstruct them for reasons and on conditions that seem good at the moment should be subject to revision when changed conditions demand. The right reserved by Congress to alter, amend, or repeal is based on this principle; but actual experience of what happens with indeterminate public-utility franchises proves that they are in the vast majority of cases practically perpetual. Each right should be leased to expire on a specified day without further legislative, administrative, or judicial action.

Every permit to construct a dam on a navigable stream should specifically recognize the right of the Government to fix a term for its duration and to impose such charge or charges as may be deemed necessary to protect the present and future interests of the United States in accordance with the act of June 21, 1906. There is sharp conflict of judgment as to whether this general act empowers the War Department to fix a charge and set a time limit. All grounds for such doubt should be removed henceforth by the insertion in every act granting such a permit of words adequate to show that a time limit and a charge to be paid to the Government are among the interests of the United States which should be protected through conditions and stipulations to be imposed either by the War Department, or, as I think would be preferable, by the Interior Department.

The provision for a charge is of vital importance. The navigability of every inland waterway, and of all connected or connectable inland waterways as a whole, should be improved for the purposes of interstate and foreign commerce upon a consistent unified plan by which each part should be made to help every other part. One means available for the improvement of navigation at a particular point on any river may be a dam creating a slack-water pool of sufficient depth. Such a dam may, in many cases, develop power of sufficient value to pay in whole or in part for the improvement of navigation at that point, and if there is any surplus it can be spent upon improvements at other points in accordance with the general plan. Since the Government can do by any proper agency what it can do directly it is in principle immaterial whether this income to construct needed improvements is derived from works constructed directly by the Government or by a corporation acting under Federal authority, since Federal authority is

the one indispensable legal prerequisite for the work, though the charge to be paid to the Government for the power would of course differ in the two cases; indeed the charge would necessarily vary greatly, for where the improvement was both costly and of great benefit to the public, the charge would naturally be made low and the time limit long.

The income derivable from this source would materially aid in the complete improvement of our navigable waters, for which there is now such crying need. The Chief of Engineers of the Army reports that the bills pending at this session of Congress permit the construction of dams in navigable streams capable of developing over 1,800,000 horsepower. These rivers run every hour in the day and every day in the year. To develop this amount of power would, under average conditions, require about 25,000,000 tons of medium-quality coal every year. This natural wealth is the heritage of the people. I see no reason for giving it away, though there is every reason for not imposing conditions so burdensome as to prevent the utilization of the power. The authority to make, modify, or withhold grants manifestly implies both the power of inquiring into the grounds on which the grants are asked and the duty of administering the grants in the public interest.

We are now at the beginning of great development in water power. Its use through electrical transmission is entering more and more largely into every element of the daily life of the people. Already the evils of monopoly are becoming manifest; already the experience of the past shows the necessity of caution in making unrestricted grants of this great power.

The present policy pursued in making these grants is unwise in giving away the property of the people in the flowing waters to individuals or organizations practically unknown, and granting in perpetuity these valuable privileges in advance of the formulation of definite plans as to their use. In some cases the grantees apparently have little or no financial or other ability to utilize the gift, and have sought it merely because it could be had for the asking.

In place of the present haphazard policy of permanently alienating valuable public property we should substitute a definite policy along the following lines:

First. There should be a limited or carefully guarded grant in the nature of an option or opportunity afforded within reasonable time for development of plans and for execution of the project.

Second. Such a grant of concession should be accompanied in the act making the grant by a provision expressly making it the duty of the designated official to annul the grant if the work is not begun or plans are not carried out in accordance with the authority granted.

Third. It should also be the duty of some designated official to see to it that in approving the plans the maximum development of the navigation and power is assured, or at least that in making the plans these may not be so developed as ultimately to interfere with the better utilization of the water or complete development of the power.

Fourth. There should be a license fee or charge which, though small or nominal at the outset, can in the future be adjusted so as to secure a control in the interest of the public.

Fifth. Provision should be made for the termination of the grant or privilege at a definite time, leaving to future generations the power or authority to renew or extend the concession in accordance with the conditions which may prevail at that time.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 13, 1903.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the message and the bill be referred to the Committee on Interstate and Foreign Commerce.

Mr. WILLIAMS. Mr. Speaker—

The SPEAKER. Does the gentleman yield to the gentleman from Mississippi?

Mr. WILLIAMS. Reserving the right to object, I ask the gentleman to yield to me about three minutes.

Mr. MANN. I yield to the gentleman.

Mr. PAYNE. Of course that requires unanimous consent, which I suppose the gentleman asked for.

Mr. MANN. I can make a motion and then yield.

The SPEAKER. The Chair hears no objection.

Mr. WILLIAMS. Mr. Speaker, I reserved the right to object and the gentleman yielded to me.

Mr. Speaker, this is a veto message of a bill to permit a dam to be placed in a navigable stream. The President vetoes the bill upon the ground that the bill does not provide a time limit for the expiration of the very valuable privilege granted in the bill; and, secondly, because the bill does not reserve the right to the Government to fix a charge for the use of the power that is to be generated from the dam. The request is to permit the bill, with the message, to go to the Committee on Interstate and Foreign Commerce. I shall not make objection, because I hope that that committee will consider the measure very carefully and will either insert in this particular bill or in a general law a provision safeguarding the rights of the people in the resources of the country in matters of this sort, and put an end to the present careless and wasteful giving away for nothing of these very valuable privileges, some of which are worth half a million and others a million dollars, which Congress has given to private firms and corporations without a cent of compensation to the public and without any limitation upon the life of the franchise.

The SPEAKER. The Chair hears no objection, and the message and the bill are referred to the Committee on Interstate and Foreign Commerce.

DENYING ANARCHIST PUBLICATIONS THE USE OF THE MAILS.

The Speaker also laid before the House the following message from the President of the United States, which was read, and, with accompanying papers, referred to the Committee on the Post-Office and Post-Roads and ordered to be printed.

## To the Senate and House of Representatives:

I herewith submit a letter from the Department of Justice which explains itself. Under this opinion, I hold that existing statutes give the President the power to prohibit the Postmaster-General from being used as an instrument in the commission of crime; that is, to prohibit the use of the mails for the advocacy of murder, arson, and treason; and I shall act upon such construction. Unquestionably, however, there should be further legislation by Congress in this matter. When compared with the suppression of anarchy, every other question sinks into insignificance. The anarchist is the enemy of humanity, the enemy of all mankind, and his is a deeper degree of criminality than any other. No immigrant is allowed to come to our shores if he is an anarchist; and no paper published here or abroad should be permitted circulation in this country if it propagates anarchistic opinions.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 9, 1908.

## ORDER OF BUSINESS.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. PAYNE. Mr. Speaker, pending that, I move that the House do now take a recess until the usual hour, 11.30 to-morrow morning.

The SPEAKER. The gentleman from New York moves that the House take a recess until 11.30 to-morrow morning.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Division, Mr. Speaker.

The House divided, and there were—ayes, 140; nays, 87.

Mr. WILLIAMS. Mr. Speaker, I respectfully demand tellers.

Mr. PAYNE. I make the point of order that the demand is dilatory, in view of the preponderating vote just taken.

The SPEAKER. The Chair will again rule that in the opinion of the Chair the point of order is well taken.

Mr. WILLIAMS. Mr. Speaker, one word upon the point of order, if the Chair will permit me.

Mr. PAYNE. I suppose the point of order is decided.

Mr. WILLIAMS. Just one sentence will make the Chair change his opinion. The proposition is to take a recess, and it is not yet 5 o'clock. I am opposing that; and the Chair has ruled out the proposition for taking tellers as dilatory, whereas by such a course of conduct the one I wish to defeat is dilatory.

If we should continue in session until 5 o'clock, which would be the result of my winning out after taking the vote by tellers, then we would expedite the public business. [Laughter and applause.] So that my motion goes exactly to the opposite.

The SPEAKER. Does the gentleman from Mississippi hold that the Chair could ask him, without violating his constitutional rights, whether the gentleman or any Member on his side would demand the yeas and nays after the tellers? [Laughter.]

Mr. WILLIAMS. Mr. Speaker, I decline to have my statesmanship projected into the future by the suggestion of the Chair. [Laughter.] Mr. Speaker, I now demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 150, nays 95, answered "present" 8, not voting 134, as follows:

## YEAS—150.

Alexander, N. Y.	Durey	Jones, Wash.	Nye
Allen	Ellis, Oreg.	Kahn	Olcott
Ames	Englebright	Kelley	Parker, S. Dak.
Anthony	Esch	Kennedy, Iowa	Parsons
Bartholdt	Fairchild	Kennedy, Ohio	Payne
Bates	Fassett	Kinkaid	Perkins
Bede	Fordney	Knapp	Porter
Birdsall	Foss	Knowland	Pray
Bonyng	Foster, Ind.	Küstermann	Reeder
Boutell	Foster, Vt.	Lafan	Reynolds
Boyd	Foulkrod	Landis	Scott
Burke	French	Langley	Sherwood
Burleigh	Fuller	Lanning	Siemp
Burton, Del.	Gaines, W. Va.	Lawrence	Smith, Iowa
Burton, Ohio	Gardner, Mich.	Lilley	Smith, Mich.
Calder	Gardner, N. J.	Lindbergh	Sperry
Calderhead	Gillett	Longworth	Stafford
Campbell	Goebel	Loud	Steenerson
Capron	Graff	Loudenslager	Sterling
Cary	Greene	Lovering	Sturgiss
Caulfield	Hale	Lowden	Sulloway
Chaney	Hamilton, Mich.	McCall	Taylor, Ohio
Chapman	Haskins	McKinlay, Cal.	Thistlewood
Cocks, N. Y.	Haugen	McKinley, Ill.	Thomas, Ohio
Conner	Hawley	McLachlan, Cal.	Tirrell
Cooper, Wis.	Hayes	McLaughlin, Mich.	Townsend
Crumpacker	Henry, Conn.	Madden	Volstead
Currier	Higgins	Madison	Vreeland
Dalzell	Hill, Conn.	Mann	Waldo
Darragh	Hinshaw	Marshall	Wanger
Davidson	Holliday	Miller	Washburn
Davis, Minn.	Howell, N. J.	Moore, Pa.	Watson
Dawson	Howland	Morse	Weeks
Denby	Hubbard, Iowa	Mouser	Wood
Diekema	Hubbard, W. Va.	Mudd	Woodyard
Douglas	Huff	Murdock	Young
Draper	Humphrey, Wash.	Needham	
Driscoll	Jackson	Norris	

## NAYS—95.

Adair	Ferris	Hitchcock	Ransdell, La.
Adamson	Finley	Hobson	Rauch
Aiken	Flood	Houston	Reld
Alexander, Mo.	Floyd	Hughes, N. J.	Richardson
Ansberry	Foster, Ill.	Hull, Tenn.	Robinson
Ashbrook	Fulton	Humphreys, Miss.	Rothermel
Beall, Tex.	Garner	Johnson, Ky.	Rucker
Bell, Ga.	Garrett	Jones, Va.	Russell, Mo.
Boober	Gill	Kellher	Sabath
Bowers	Godwin	Kitchin, Claude	Sheppard
Brantley	Gordon	Lamar, Mo.	Sherley
Burgess	Granger	Lassiter	Sims
Burleson	Gregg	Legare	Smith, Mo.
Burnett	Griggs	Livingston	Smith, Tex.
Caldwell	Hackett	McLain	Sparkman
Carter	Hackney	Macon	Spight
Clark, Mo.	Hamilton, Iowa	Maynard	Stanley
Cooper, Tex.	Hamlin	Moore, Tex.	Thomas, N. C.
Cox, Ind.	Hammond	O'Connell	Tou Velle
Craig	Hardy	Padgett	Watkins
Cravens	Hay	Page	Willett
De Armond	Heflin	Peters	Williams
Denver	Helm	Rainey	Wilson, Pa.
Dixon	Henry, Tex.	Randell, Tex.	

## ANSWERED "PRESENT"—8.

Bartlett, Ga.  
Bennet, N. Y.

Cousins  
Gilhams

Goulden  
Jenkins

Moon, Pa.  
Slayden

## NOT VOTING—134.

Acheson	Edwards, Ga.	Knopf	Powers
Andrus	Edwards, Ky.	Lamar, Fla.	Pratt
Bannon	Ellerbe	Lamb	Prince
Barchfeld	Ellis, Mo.	Law	Pujo
Barclay	Favrot	Leake	Rhinock
Bartlett, Nev.	Fitzgerald	Lee	Riordan
Beale, Pa.	Focht	Lenahan	Roberts
Bennett, Ky.	Fornes	Lever	Rodenberg
Bingham	Fowler	Lewis	Russell, Tex.
Bradley	Gaines, Tenn.	Lindsay	Ryan
Brodhead	Gardner, Mass.	Littlefield	Saunders
Broussard	Gillespie	Lloyd	Shackelford
Brownlow	Glass	Lorimer	Sherman
Brumm	Goldfogle	McCreary	Small
Brundidge	Graham	McDermott	Smith, Cal.
Byrd	Gronna	McGuire	Snapp
Candler	Haggott	McHenry	Southwick
Carlin	Hall	McKinney	Stephens, Tex.
Clark, Fla.	Hamill	McMillan	Stevens, Minn.
Clayton	Harding	McMorran	Sulzer
Cockran	Hardwick	Malby	Talbott
Cole	Harrison	Mondell	Talbot
Cook, Colo.	Hepburn	Moon, Tenn.	Taylor, Ala.
Cook, Pa.	Hill, Miss.	Murphy	Underwood
Cooper, Pa.	Howard	Nelson	Wallace
Coudrey	Howell, Utah	Nicholls	Webb
Crawford	Hughes, W. Va.	Olmsted	Weems
Cushman	Hull, Iowa	Overstreet	Weisse
Davenport	James, Addison D.	Parker, N. J.	Wheeler
Davey, La.	James, Ollie M.	Patterson	Wiley
Dawes	Johnson, S. C.	Pearle	Wilson, Ill.
Dunwell	Kimball	Pollard	Wolf
Dwight	Kipp	Pou	
	Kitchin, Wm. W.		

So the motion to take a recess was agreed to.

The Clerk announced the following pairs:

For the remainder of this session:

Mr. KNOPF with Mr. WEISSE.

Mr. BENNET of New York with Mr. FORNES.

Mr. BRADLEY with Mr. GOULDEN.

Mr. SHERMAN with Mr. RIORDAN.

Until further notice:

Mr. ALEXANDER of New York with Mr. RYAN.

Mr. MCCREARY with Mr. SULZER.

Mr. WHEELER with Mr. DAVENPORT.

Mr. JENKINS with Mr. CLARK of Florida.

Mr. COUSINS with Mr. HOWARD.

Mr. BINGHAM with Mr. DAVEY of Louisiana.

Mr. ADDISON D. JAMES with Mr. KIMBALL.

Mr. POLLARD with Mr. LEVER.

Mr. BARCHFELD with Mr. LIVINGSTON.

Mr. ROBERTS with Mr. BROUSSARD.

Mr. HAGGOTT with Mr. WILLIAM W. KITCHIN.

Mr. MCKINNEY with Mr. PATTERSON.

Mr. MCMILLAN with Mr. LINDSAY.

Mr. COUDREY with Mr. EDWARDS of Georgia.

Mr. FOSTER of Vermont with Mr. POU.

For one week:

Mr. OVERSTREET with Mr. MOON of Tennessee.

Until Wednesday:

Mr. BROWNLOW with Mr. GAINES of Tennessee.

Until the 14th:

Mr. COOPER of Pennsylvania with Mr. KIPP.

For this day:

Mr. POWERS with Mr. PRATT.

Mr. HULL of Iowa with Mr. SLAYDEN.

Mr. PRINCE with Mr. GLASS.

Mr. OLMSTED with Mr. TALBOTT.

Mr. BUTLER with Mr. BARTLETT of Georgia.

Mr. CUSHMAN with Mr. RUSSELL of Texas.



Mr. MUDD with Mr. WOLF.  
 Mr. SOUTHWICK with Mr. WEBB.  
 For this vote:  
 Mr. WEEMS with Mr. WILEY.  
 Mr. WILSON of Illinois with Mr. WALLACE.  
 Mr. TAWNEY with Mr. UNDERWOOD.  
 Mr. STEVENS of Minnesota with Mr. TAYLOR of Alabama.  
 Mr. SNAPP with Mr. STEPHENS of Texas.  
 Mr. SMITH of California with Mr. SMALL.  
 Mr. RODENBERG with Mr. SHACKLEFORD.  
 Mr. PEARRE with Mr. SAUNDERS.  
 Mr. NELSON with Mr. RHINOCK.  
 Mr. MOON of Pennsylvania with Mr. PUJO.  
 Mr. MALBY with Mr. NICHOLLS.  
 Mr. MCMORRAN with Mr. MURPHY.  
 Mr. MCGUIRE with Mr. MCHENRY.  
 Mr. MCGAVIN with Mr. McDERMOTT.  
 Mr. LITTLEFIELD with Mr. LEWIS.  
 Mr. LAW with Mr. LENAHAN.  
 Mr. HUGHES of West Virginia with Mr. LEE.  
 Mr. HOWELL of Utah with Mr. LEAKE.  
 Mr. HEPBURN with Mr. LAMB.  
 Mr. HARDING with Mr. JOHNSON of South Carolina.  
 Mr. GRONNA with Mr. OLLIE M. JAMES.  
 Mr. GRAHAM with Mr. HILL of Mississippi.  
 Mr. GARDNER of Massachusetts with Mr. HARRISON.  
 Mr. FOWLER with Mr. HARDWICK.  
 Mr. FOCHT with Mr. HAMILL.  
 Mr. ELLIS of Missouri with Mr. GOLDFOGLE.  
 Mr. DWIGHT with Mr. GILLESPIE.  
 Mr. DUNWELL with Mr. FITZGERALD.  
 Mr. DAWES with Mr. FAYROT.  
 Mr. COOK of Pennsylvania with Mr. ELLERBE.  
 Mr. COOPER of Pennsylvania with Mr. CRAWFORD.  
 Mr. COOK of Colorado with Mr. COCKRAN.  
 Mr. COLE with Mr. CLAYTON.  
 Mr. BRUMM with Mr. CARLIN.  
 Mr. BEALE of Pennsylvania with Mr. CANDLER.  
 Mr. BARCLAY with Mr. BYRD.  
 Mr. BANNON with Mr. BRUNDIDGE.  
 Mr. ANDRUS with Mr. BRODHEAD.  
 Mr. ACHESON with Mr. BARTLETT of Nevada.  
 The result of the vote was announced as above recorded.  
 Accordingly (at 4 o'clock and 43 minutes p. m.) the House took a recess until to-morrow at 11.30 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of the Potomac River below Washington—to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for alterations and repairs of the court-house and post-office in New York City—to the Committee on Appropriations and ordered to be printed.

A letter from the Attorney-General, transmitting a response to the inquiry of the House as to whether or not any proceedings have been taken to prosecute the International Paper Company or related corporations for alleged violations of Federal law—to the Committee on the Judiciary and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SMITH of California, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 1574) to create the Calaveras Bigtree National Forest, and for other purposes, reported the same without amendment, accompanied by a report (No. 1426), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 6145) to refund to the Territory of Hawaii the amount expended in maintaining light-house service on its coasts from the time of the organization of the Territory until said light-house service was taken over by the Federal Government, reported the same without amend-

ment, accompanied by a report (No. 1434), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOVERING, from the Committee on Coinage, Weights and Measures, to which was referred the bill of the House (H. R. 213) to establish an assay office at Salt Lake City, State of Utah, reported the same without amendment, accompanied by a report (No. 1435), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NEEDHAM, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 3153) to make Monterey and Port Harford, in the State of California, supports of entry, and for other purposes, reported the same with amendments, accompanied by a report (No. 1439), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HACKNEY, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 2901) authorizing the Omaha tribe of Indians to submit claims to the Court of Claims, reported the same without amendment, accompanied by a report (No. 1427), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16048) for the relief of the heirs of Cornplanter, alias John O'Bial, or Abeel, a Seneca Indian chief, reported the same with amendments, accompanied by a report (No. 1428), which said bill and report were referred to the Private Calendar.

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 13950) for the relief of Charles A. Going, reported the same with amendments, accompanied by a report (No. 1429), which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 15603) for the relief of John W. Wood, reported the same without amendment, accompanied by a report (No. 1430), which said bill and report were referred to the Private Calendar.

Mr. LINDBERGH, from the Committee on Claims, to which was referred the bill of the House (H. R. 19641) for the relief of the Wilmerding-Loewe Company, of San Francisco, Cal., reported the same without amendment, accompanied by a report (No. 1431), which said bill and report were referred to the Private Calendar.

Mr. FULTON, from the Committee on Claims, to which was referred the bill of the House (H. R. 4562) for the relief of C. W. Reid and Sam Daube, reported the same without amendment, accompanied by a report (No. 1432), which said bill and report were referred to the Private Calendar.

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the Senate (S. 1751) to reimburse Anna B. Moore, late postmaster at Rhyolite, Nev., for money expended for clerical assistance, reported the same without amendment, accompanied by a report (No. 1433), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HOWELL of New Jersey: A bill (H. R. 20600) authorizing the Secretary of the Treasury to appoint commissioners to estimate damages done to planted oysters and oyster beds in Raritan Bay and adjoining waters in New York and New Jersey, and to make compensation therefor—to the Committee on Claims.

By Mr. FRENCH: A bill (H. R. 20700) providing for the disposition of town sites in connection with reclamation projects, and for other purposes—to the Committee on Irrigation of Arid Lands.

By Mr. RANDELL of Louisiana: A bill (H. R. 20701) authorizing appropriations for South Pass of the Mississippi River, or surveys thereon, to be used in dredging said river above the pass to secure 35 feet and suitable width—to the Committee on Rivers and Harbors.

By Mr. CARY: A bill (H. R. 20702) granting pensions to masters of transports engaged in carrying troops and supplies for the Army of the United States—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 20703) for the purchase or erection of embassy, legation, and consular buildings—to the Committee on Foreign Affairs.

By Mr. STEVENS of Minnesota: A bill (H. R. 20704) to provide for the distribution of reports of the United States circuit courts of appeals and of the United States circuit and district courts to certain officers of the United States, and for other purposes—to the Committee on the Judiciary.

By Mr. COUDREY: A bill (H. R. 20705) to parole United States prisoners, and for other purposes—to the Committee on the Judiciary.

By Mr. VREELAND: A bill (H. R. 20706) to amend the national banking laws—to the Committee on Banking and Currency.

By Mr. HOBSON: A bill (H. R. 20707) to promote the cause of international arbitration—to the Committee on Foreign Affairs.

By Mr. ROTHERMEL: A bill (H. R. 20708) to establish a fish-cultural station in the State of Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

By Mr. MILLER: A bill (H. R. 20709) to regulate the interstate-commerce shipments of intoxicating liquors—to the Committee on the Judiciary.

By Mr. BARTHOLDT: A bill (H. R. 20710) to insure suitable representation of the United States Congress at the general conferences and the council meetings of the Interparliamentary Union—to the Committee on Foreign Affairs.

By Mr. MCGUIRE: A bill (H. R. 20735) conveying to the city of Perry certain land for a city library and other public buildings—to the Committee on the Public Lands.

By Mr. NELSON: Resolution (H. Res. 335) for the appointment of a committee of the House on parliamentary rules—to the Committee on Rules.

By Mr. LEE: Resolution (H. Res. 336) referring certain claims to the Court of Claims for finding of facts—to the Committee on War Claims.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 20711) granting a pension to Elizabeth Bean—to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 20712) for the relief of the heirs and legal representatives of William Bishop, deceased—to the Committee on War Claims.

Also, a bill (H. R. 20713) granting a pension to Clara W. Griego—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 20714) granting an increase of pension to John Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20715) granting an increase of pension to Ira Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20716) granting an increase of pension to Charles W. Boland—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 20717) granting an increase of pension to Constant Markel—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 20718) granting an increase of pension to Benjamin F. Gray—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 20719) for the relief of Mrs. S. F. Wilson, of Loudoun County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 20720) for the relief of the legal representatives of Robert L. Martin, deceased—to the Committee on War Claims.

By Mr. CHAPMAN: A bill (H. R. 20721) granting an increase of pension to Abraham Myers—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 20722) granting an increase of pension to Fletcher Hedges—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 20723) granting a pension to Margaret Talbut—to the Committee on Pensions.

Also, a bill (H. R. 20724) granting an increase of pension to Elijah H. Garner—to the Committee on Invalid Pensions.

By Mr. ELLIS of Oregon: A bill (H. R. 20725) granting a pension to Anna G. Roth Baker—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A bill (H. R. 20726) granting an increase of pension to William F. Green—to the Committee on Invalid Pensions.

By Mr. GODWIN: A bill (H. R. 20727) for the relief of the heirs at law of Joseph Wilson, deceased—to the Committee on War Claims.

By Mr. HACKETT: A bill (H. R. 20728) to correct the military record of Jacob Madison Pruitt—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 20729) granting an increase of pension to Andrew W. Sponsler—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 20730) granting a pension to Summers V. Carney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20731) to remove the charge of desertion standing against J. T. Bandy—to the Committee on Military Affairs.

By Mr. LAFEAN: A bill (H. R. 20732) granting a pension to Mary Gembe—to the Committee on Invalid Pensions.

By Mr. LANDIS: A bill (H. R. 20733) granting a pension to Anna Levi—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20734) granting an increase of pension to James M. Newman—to the Committee on Invalid Pensions.

By Mr. McLACHLAN of California: A bill (H. R. 20736) granting an increase of pension to James P. Carlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20737) granting an increase of pension to Ira C. McClenthen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20738) granting an increase of pension to John M. Williams—to the Committee on Invalid Pensions.

By Mr. McLAIN: A bill (H. R. 20739) for the relief of heirs of Emmet Hicks, deceased—to the Committee on War Claims.

By Mr. McMILLAN: A bill (H. R. 20740) granting an increase of pension to Perry Knickerbocker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20741) granting an increase of pension to Adam Hepp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20742) granting a pension to Ruth E. Dietz—to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 20743) for the relief of Mrs. Charles F. Kulicke—to the Committee on Claims.

By Mr. NYE: A bill (H. R. 20744) granting an increase of pension to James H. Ege—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 20745) granting an increase of pension to Joseph Delamar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20746) granting an increase of pension to Richard H. Williams—to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 20747) for the relief of the heirs of Miles Knowlton—to the Committee on War Claims.

Also, a bill (H. R. 20748) granting an increase of pension to John J. Cooper—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 20749) granting a pension to H. B. Massey—to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 20750) granting an increase of pension to Joseph F. Mendenhall, sr.—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 20751) granting an increase of pension to Edmund Kendall—to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 20752) granting an increase of pension to John A. Shultz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20753) granting an increase of pension to Riley S. Hartwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20754) granting a pension to Elijah Taylor—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 20755) granting an increase of pension to John Akerman—to the Committee on Invalid Pensions.

By Mr. WALDO: A bill (H. R. 20756) granting a pension to Johanna Steinborn—to the Committee on Pensions.

Also, a bill (H. R. 20757) granting an increase of pension to Edward A. O'Connor—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 20758) granting an increase of pension to James O. Ackerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20759) granting an increase of pension to Sear S. Johnson—to the Committee on Invalid Pensions.



By Mr. AMES: A bill (H. R. 20760) granting an increase of pension to Fannie S. Livers—to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 20761) for the relief of George H. Witten—to the Committee on War Claims.

Also, a bill (H. R. 20762) for the relief of William H. Dotson—to the Committee on War Claims.

Also, a bill (H. R. 20763) for the relief of Peter Daniel—to the Committee on War Claims.

Also, a bill (H. R. 20764) for the relief of Joseph Nickell—to the Committee on War Claims.

Also, a bill (H. R. 20765) for the relief of the legal representatives of J. M. Fidler and Thomas O. Marrs—to the Committee on War Claims.

Also, a bill (H. R. 20766) for the relief of the legal representatives of J. M. Fidler—to the Committee on War Claims.

Also, a bill (H. R. 20767) for the relief of the legal representatives of Mary Phillips—to the Committee on War Claims.

Also, a bill (H. R. 20768) for the relief of the legal representatives of James M. Bullock—to the Committee on War Claims.

Also, a bill (H. R. 20769) for the relief of the heirs of William O'Bryant—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 20770) granting an increase of pension to Daniel F. Smith—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of New York: Petition of Carenovia Grange, of South Wales, N. Y., for H. R. 15837 highways bill)—referred to the Committee on Agriculture.

By Mr. ANSBERRY: Petition of Kansas City Clearing House Association, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Central Federated Union, favoring construction of battle ships in navy-yards—to the Committee on Naval Affairs.

By Mr. ASHBROOK: Paper to accompany bill for relief of Alice Ramey—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Ulysses G. Sanger—to the Committee on Pensions.

Also, petition of Baltimore Clearing House, against the Aldrich bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Kansas City Clearing House, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. BURLEIGH: Petition of Local Lodge No. 12, International Brotherhood of Locomotive Firemen, of Madison, Me., against prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BURTON of Delaware: Petition of Center Grange, Patrons of Husbandry, of Wilmington, Del., asking for passage of H. R. 15837, to create a national highways commission—to the Committee on Agriculture.

By Mr. CALDER: Petition of Clearing House Association of Banks of Philadelphia, for elimination of sections 8 and 11 of the Aldrich currency bill, for reference of the currency question to a committee of representative financiers—to the Committee on Banking and Currency.

Also, petition of Kansas City Clearing House, against Aldrich bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Congress of Knights of Labor, against placing wood pulp on the free list—to the Committee on Ways and Means.

Also, petition of P. S. Callahan, Charles J. Hamilton, and many other labor representatives of Brooklyn, N. Y., favoring legislation excluding labor from provisions of the Sherman antitrust act—to the Committee on the Judiciary.

Also, petition of Central Federated Union, favoring battle-ship building in navy-yards—to the Committee on Naval Affairs.

By Mr. CAPRON: Petitions of churches and organizations in the State of Rhode Island, favoring prohibition in the District of Columbia—to the Committee on the District of Columbia.

Also, papers to accompany bills for relief of Joseph R. Curtis and William B. Douglas—to the Committee on Invalid Pensions.

Also, petitions of Society of the Friendly Sons of St. Patrick of Providence, R. I.; Wolfe Tone Literary Association; citizens of Woonsocket, R. I., and members of Company C, Third Regiment of Irish Volunteers, against any treaty of arbitration between Great Britain and the United States—to the Committee on Foreign Affairs.

By Mr. CARY: Petition of Racine Clearing House Association, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Fourth Branch of the Polish Young Men's Alliance, favoring the Bates resolution of sympathy for the Poles in Prussia—to the Committee on Foreign Affairs.

By Mr. CHANEY: Petition of Thomas H. Howard, D. H. Spanhower, and others, of Bloomfield, Ind., favoring the Sherwood bill to retire certain soldiers at \$1 per day—to the Committee on Invalid Pensions.

Also, petition of Thomas H. Howard and D. H. Spanhower, of Bloomfield, Ind., favoring passage of the Sherwood pension bill—to the Committee on Invalid Pensions.

By Mr. DALZELL: Paper to accompany bill for relief of Fletcher Hedges—to the Committee on Invalid Pensions.

Also, petition of jewelers in city of Pittsburg, Pa., favoring the Vreeland bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Congress of Knights of Labor, of New York, against removal of tariff on pulp paper—to the Committee on Ways and Means.

Also, petition of Pittsburg Clearing House Association, against present emergency currency legislation—to the Committee on Banking and Currency.

By Mr. DRAPER: Petition of Salem Union Grange, of Salem, Washington County, N. Y., favoring H. R. 15837, for a national highways commission and appropriation for Federal aid in road building—to the Committee on Agriculture.

Also, petitions of Union Veteran Legion, Encampment No. 51, and citizens of Fort Wayne, for appropriation of \$200,000 for an armory on site of fort built by Gen. Anthony Wayne—to the Committee on Appropriations.

Also, petition of Chamber of Commerce of City of Richmond, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Association for Protection of the Adirondacks, favoring H. R. 10457 (for forest reservations in White Mountains and Southern Appalachian Mountains)—to the Committee on Agriculture.

By Mr. DUREY: Petition of many citizens of Saratoga County, N. Y., for H. R. 15262—to the Committee on Banking and Currency.

By Mr. ELLIS of Oregon: Petition of county central committee of the Antisaloons League, of Wasco, Oreg., in favor of Sims bill—to the Committee on the District of Columbia.

Also, petition of citizens of Elgin, Oreg., in opposition to Penrose bill—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Petitions of Kansas City Clearing House and Racine (Wis.) Clearing House Association, against Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Central Federated Union, for battle-ship construction in navy-yards—to the Committee on Naval Affairs.

Also, petition of Local No. 85, Coopers Institute Union of North America, of La Crosse, Wis., against prohibition legislation—to the Committee on the Judiciary.

By Mr. FOSTER of Illinois: Petition of Philadelphia Clearing House Association, for a commission to investigate banking and currency conditions—to the Committee on Banking and Currency.

Also, petition of Columbia Damen Club, of Chicago, favoring the Beveridge-Parsons child-labor bill—to the Committee on Labor.

Also, petition of Peoria (Ill.) Clearing House Association, against the Aldrich bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Sandoval (Ill.) local association of Federation of Labor, against prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. FULLER: Petition of P. Holland, for the Fuller bill (H. R. 19250) for a volunteer officer's retired list—to the Committee on Military Affairs.

Also, petition of Rockford Morning Star, for removal of duty on wood pulp—to the Committee on Ways and Means.

Also, petition of Ononogo Circle Mining Company, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Retail Merchants' Association, for repeal of the oleomargarine law—to the Committee on Agriculture.

By Mr. GAINES of Tennessee: Papers to accompany House bill granting an increase of pension to William F. Green—to the Committee on Invalid Pensions.

By Mr. HAMMOND: Petition of Business League of St. Paul, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. HUFF: Petition of citizens of Butler County, Pa., for a national highways commission and Federal aid in construction of public highways—to the Committee on Agriculture.

Also, petition of Central Federated Union, favoring battleship building in navy-yards—to the Committee on Naval Affairs.

By Mr. HUMPHREY of Washington: Petition of T. R. Ellwood and other citizens of Washington, for a national highways commission and making appropriation for construction and improvement of public highways—to the Committee on Agriculture.

By Mr. LINDSAY: Petition of Clearing House Association of the banks of Philadelphia, for reference of the whole question of currency reform to a commission of representative business men and financiers—to the Committee on Banking and Currency.

Also, petition of Kansas City Clearing House Association, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of board of education of New York City, favoring H. R. 20012, for establishment of marine schools—to the Committee on Naval Affairs.

Also, petition of Central Federated Union, favoring battleship building in the navy-yards—to the Committee on Naval Affairs.

Also, petition of Charles Endres and James J. Duffy, for legislation to exclude labor from the provisions of the Sherman antitrust law—to the Committee on the Judiciary.

By Mr. LOWDEN: Petition of Chicago City Council, favoring H. R. 15123 and 15267 and S. 4395, relative to conduct of telegraph companies—to the Committee on Interstate and Foreign Commerce.

Also, petition of many representative citizens of New York, against the atrocities practiced by the Russian Government—to the Committee on Foreign Affairs.

By Mr. McLAIN: Papers to accompany House bill for relief of estate of Emmitt Hicks, of Clairborne County, Miss.—to the Committee on War Claims.

By Mr. McMILLAN: Petition of Lindenwold Grange, No. 985, for a highways commission and Federal aid in building roads—to the Committee on Agriculture.

By Mr. MALBY: Petition of De Kalb Junction (N. Y.) Grange, No. 1120, for a national highways commission and appropriation for Federal aid in building highways (H. R. 15837)—to the Committee on Agriculture.

By Mr. MOUSER: Petition for the creation of a national highways commission and for appropriation to give Federal aid to the States in highway construction (H. R. 15837)—to the Committee on Agriculture.

Also, petition of citizens of New York and vicinity for relief for heirs of victims of the *General Slocum* disaster—to the Committee on Claims.

By Mr. MOON of Tennessee: Petition of Chattanooga (Tenn.) Clearing House Association, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. NORRIS: Petition of Omaha Clearing House Association, against Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. NYE: Petition of Twin City Foundry Men's Association, against the anti-injunction and eight-hour bills—to the Committee on the Judiciary.

Also, petition of Minneapolis City Lodge, No. 63, against restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. OVERSTREET: Petition of Indianapolis Hebrew congregation, against legislation providing for an educational test, certificate of character, and money-in-the-pocket feature, as outlined in the Latimer or Gardner bills—to the Committee on Immigration and Naturalization.

By Mr. PADGETT: Paper to accompany bill for relief of George T. Wilson—to the Committee on War Claims.

By Mr. RAINEY: Petition of Columbia Damen Club, of Chicago, asking for enactment of child-labor law—to the Committee on the District of Columbia.

By Mr. RYAN: Petition of Clearing House Association of Banks of Philadelphia, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. SABATH: Petition of Columbia Damen Club, of Chicago, favoring the Beveridge-Parsons bill, preventing employment of children in factories and mines—to the Committee on Labor.

Also, petitions of California Harbor, No. 15, American Association of Masters, Mates, and Pilots, and Marine Engineers' Beneficial Association, No. 35, of San Francisco, Cal., for H. R.

14941, amending section 4463 of Revised Statutes of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Clearing House Association of the Banks of Philadelphia, favoring reference of the entire currency question to a commission of representative business men—to the Committee on Banking and Currency.

By Mr. SMITH of Michigan: Petition of Ramnald Platkowski, in behalf of Polish citizens of Detroit, Mich., for the Bates resolution, relative to expropriation act of Prussia—to the Committee on Foreign Affairs.

By Mr. SPERRY: Petition of the Interstate Builders, Contractors, and Dealers' Association and citizens from New Haven, Hartford, New Britain, Ansonia, Derby, Shelton, Waterbury, Guilford, and Georgetown, all in the State of Connecticut, against the Hepburn amendment to the Sherman antitrust law—to the Committee on the Judiciary.

Also, resolution of Templars of Honor and Temperance of Connecticut, favoring the Littlefield bill—to the Committee on the Judiciary.

Also, resolution of the Emmet Club, of New Haven, Conn., against the treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, resolution of Division No. 1, Ancient Order of Hibernians, of Naugatuck, Conn., against the treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. STEVENS of Minnesota: Petition of Business League of St. Paul, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. WILSON of Pennsylvania: Petition of Edgar R. Kiess and other residents of Lycoming, Pa., for creation of a national highways commission and making appropriation for construction and improvement of public highways—to the Committee on Agriculture.

By Mr. WEISSE: Petition of Union Veterans' Legion, Encampment No. 51, of Fort Wayne, Ind., praying for a monument to Gen. Anthony Wayne—to the Committee on the Library.

Also, petition of Chamber of Commerce of city of Richmond, Va., opposing passage of Aldrich bill and in favor of Fowler bill—to the Committee on Banking and Currency.

## SENATE.

TUESDAY, April 14, 1908.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

### SWISS EMBROIDERY AND LACE INDUSTRY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, pursuant to law, the report of Special Agent W. A. Graham Clark on the Swiss embroidery and lace industry, together with additional reports from consular officers in other countries on the manufacture of embroidery and lace, which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

### ACTION OF NEW YORK CITY BANKS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of February 18, 1908, copies of all letters and telegrams received by the Secretary of the Treasury and the Treasurer of the United States relative to the refusal of the national banks in New York City to furnish currency for the needs of interior banks, which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a concurrent resolution to correct an error in the enrollment of the bill (H. R. 20310) relating to the liability of common carriers by railroads to their employees in certain cases, by inserting in section 3, line 2, after the word "railroad," the words "under or by virtue of any of the provisions of this act," in which it requested the concurrence of the Senate.

### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill H. R. 17983, an act for completing the pediment of the House wing of the Capitol, and it was thereupon signed by the Vice-President.